

Attachment 1

Notice to LEAs

Maine Department of Education

[Home](#) → [Accountability & Improvement System](#) → Comments on Request to Hold Targets Steady

Comments on Request to Hold Accountability Targets Steady

The Maine Department of Education has requested a waiver from the U.S. Department of Education that will allow Maine to hold its accountability targets -- the percentage of students expected to reach proficiency on state math and reading assessments in order for a school to make "adequate yearly progress" -- at the 2010-11 levels for another year.

The Department sent the following notice to all Maine school superintendents and No Child Left Behind coordinators requesting feedback. The Department received four comments in response. Three voiced support for the waiver request; another requested clarification.

Public Notice

This communication serves as notice that the Maine Department of Education (MDOE) intends to submit an application to the U. S. Department of Education to request a waiver of section 1111(b)(2)(H) of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended. This will permit Maine to use the same annual measurable objectives (AMOs) used for adequate yearly progress (AYP) determinations in the 2010–2011 school year, based on assessments given in 2010-2011, to make AYP determinations for the 2011-2012 school year, based on assessments given in the 2011-2012 school year. The Maine Department of Education believes using the same AMOs for AYP determinations based on assessments administered in the 2011-2012 school year as it used for the 2010-2011 school year will help increase the quality of instruction for students and improve the academic achievement of students by removing the pressure of meeting escalating AMOs so that MDOE and other stakeholders within the State can devote necessary time and resources to planning for the implementation of ESEA flexibility, which MDOE needs additional time to do. Comments related to this request for waivers should be sent to Rachelle Tome, ESEA Federal Programs Director, at rachelle.tome@maine.gov. Comments will be accepted through Friday, March 5, 2012.

Originally posted at <http://www.maine.gov/education/nclb/publicnotice.html> on Feb. 21, 2012.

Site Information

Attachment 2a

Comments on request received from LEAs and others— Fall 2011

Overview

1. over 1,500 Mainers answered the survey, including:
 - a. 580 classroom educators
 - b. 268 parents
 - c. 187 administrators (school + district)
 - d. 85 school board members
 - e. 12 students
 - f. every county was represented
2. regarding the determination of the measure of a school's success, the majority of respondents supported continuing to use the familiar indicators of student achievement from state assessments and graduation rates (the highest level of importance was attached to this one), though they also supported adding the measures that were suggested in the survey.
3. The additional measures that garnered the greatest support - in terms of the importance attached to them by all respondents, include:
 - a. drop out rates
 - b. data from teacher surveys
 - c. data on school climate
 - d. data on parental engagement and from parent surveys
 - e. data from student surveys
 - f. improvement on state tests
4. The support for these enhanced measures of effectiveness holds true when disaggregating across all groups who responded to the survey
5. Regarding the section on educator effectiveness, each of the suggested measures received strong or very strong support, with the lowest level of importance attached to achievement on state assessments. There is greater support for improvement on this measure, however.
6. While there still is moderate support for these additional measures among teachers, when broken down by group, there is slightly higher support among administrators, and very strong support for the incorporation of these multiple measures among parents.
7. It is important to note, however, that approximately 10% of the entire sample size and of each of the sub-groups did not attach any importance to either absolute performance or growth as measured by state assessments on determination of educator effectiveness.

Please rank each of the following based on how important you think it is to include as a measure of a school's success.

	1 = Not important	2 = Somewhat important	3 = Important	4 = Very important	N/A	Rating Average	Response Count
Data on school climate	2.2% (31)	15.4% (217)	39.1% (550)	41.9% (590)	1.4% (20)	3.22	1,408
Attendance rates	1.6% (23)	13.0% (183)	38.1% (535)	46.6% (655)	0.7% (10)	3.31	1,406
Dropout rates	2.2% (31)	13.5% (191)	36.2% (511)	47.2% (667)	0.8% (12)	3.30	1,412
Graduation rates	1.7% (24)	8.4% (119)	35.6% (501)	53.4% (752)	0.9% (13)	3.42	1,409
Data on levels of parent engagement	3.8% (54)	18.8% (265)	36.7% (517)	39.9% (562)	0.7% (10)	3.14	1,408
Student performance on state assessments	6.7% (94)	34.1% (479)	40.8% (574)	18.0% (253)	0.4% (6)	2.70	1,406
Data from student surveys	2.7% (38)	22.9% (323)	42.0% (593)	31.8% (448)	0.6% (9)	3.03	1,411
Data from parent surveys	2.1% (30)	24.2% (341)	46.0% (647)	26.7% (376)	0.9% (13)	2.98	1,407
Improvement in student performance on state assessments	6.0% (85)	25.8% (365)	38.8% (548)	29.0% (410)	0.4% (6)	2.91	1,414
Staff turnover rate	4.3% (60)	19.7% (276)	40.3% (566)	34.8% (489)	0.9% (13)	3.07	1,404
Data from teacher surveys	2.1% (29)	15.6% (220)	39.3% (554)	42.1% (594)	0.9% (13)	3.23	1,410

Please suggest an additional measure or explain your rankings.

559

answered question	1,417
skipped question	99

To obtain ESEA flexibility, the Maine Department of Education must develop guidelines for teacher and administrator evaluation systems. Please rank each of the following based on how important you think it is to include as a measure of the effectiveness of teachers and administrators.

	1 = Not important	2 = Somewhat important	3 = Important	4 = Very important	N/A	Rating Average	Response Count
Student attendance rates	6.7% (87)	25.0% (325)	35.2% (458)	32.0% (417)	1.2% (15)	2.94	1,302
Classroom observations by peers	4.0% (52)	18.4% (241)	42.1% (551)	35.0% (458)	0.6% (8)	3.09	1,310
Classroom observations by supervisors	1.9% (25)	15.6% (205)	40.9% (538)	40.9% (538)	0.6% (8)	3.22	1,314
Data from student surveys	4.6% (60)	29.8% (389)	41.8% (546)	23.4% (305)	0.5% (6)	2.84	1,306
Data from parent surveys	4.8% (63)	32.2% (422)	42.9% (562)	19.6% (256)	0.5% (6)	2.78	1,309
Student achievement on state assessments	9.7% (127)	38.1% (499)	36.9% (482)	14.9% (195)	0.4% (5)	2.57	1,308
Student discipline records and procedures	8.7% (114)	29.9% (392)	39.5% (518)	21.4% (281)	0.5% (6)	2.74	1,311
Portfolios of teaching accomplishments	7.9% (103)	23.7% (310)	38.1% (498)	29.8% (389)	0.5% (7)	2.90	1,307
Student graduation rates	4.3% (56)	18.1% (237)	39.8% (520)	36.5% (478)	1.3% (17)	3.10	1,308
Progress toward meeting nationally recognized performance standards (National Board for Professional Teaching Standards, Interstate School Leaders Licensure Consortium, Interstate New Teacher Assessment and Support Consortium)	10.9% (142)	28.4% (369)	37.8% (492)	21.6% (281)	1.2% (16)	2.71	1,300

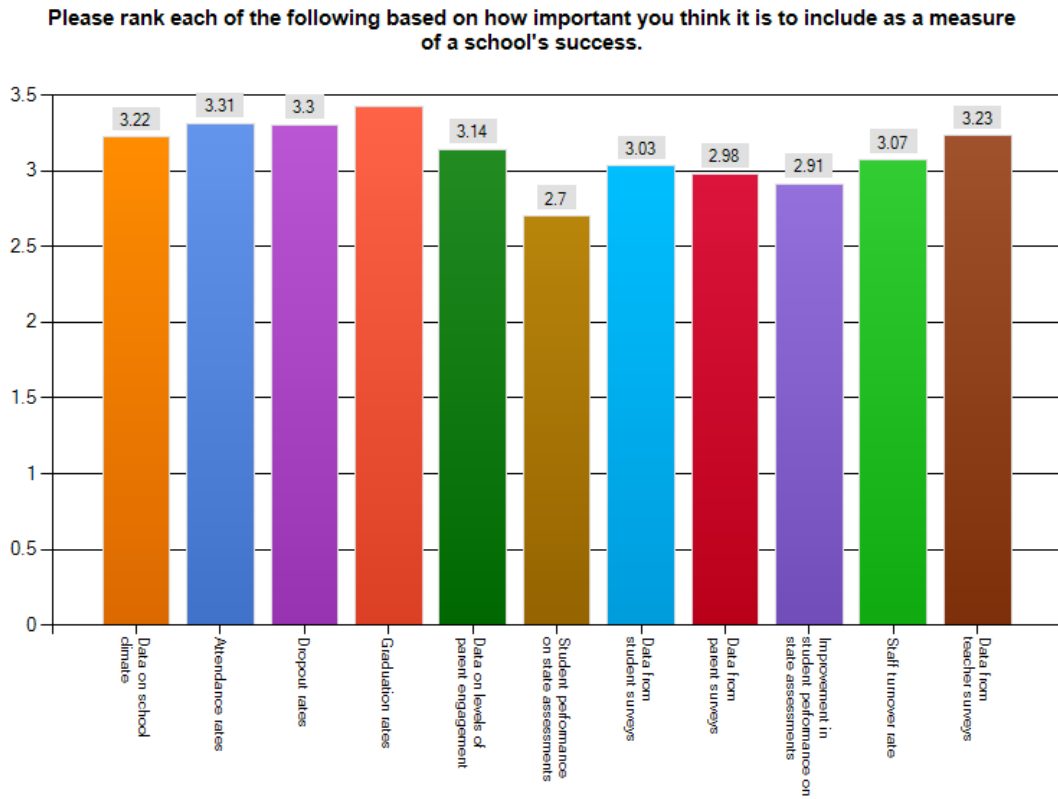
Improvement in student achievement on state assessments	8.0% (105)	29.2% (383)	39.4% (517)	23.0% (302)	0.4% (5)	2.78	1,312
Data from teacher/administrator self-evaluation	4.5% (59)	21.9% (286)	44.8% (586)	28.2% (369)	0.5% (7)	2.97	1,307
Administrator observations by supervisors	2.9% (38)	17.4% (228)	43.1% (566)	35.6% (468)	1.0% (13)	3.13	1,313
Data from teacher surveys of administrators	2.9% (38)	18.6% (243)	43.9% (574)	33.6% (439)	1.0% (13)	3.09	1,307

Please suggest an additional measure or explain your ranking.

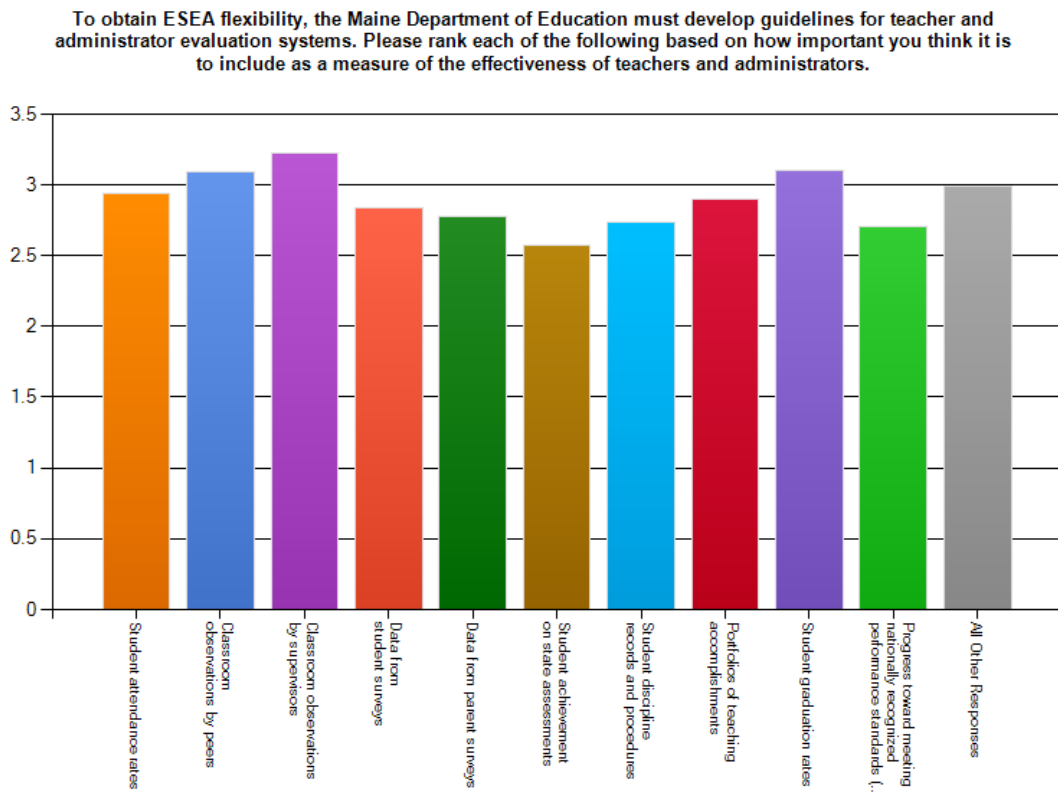
359

answered question	1,319
skipped question	197

Question #4

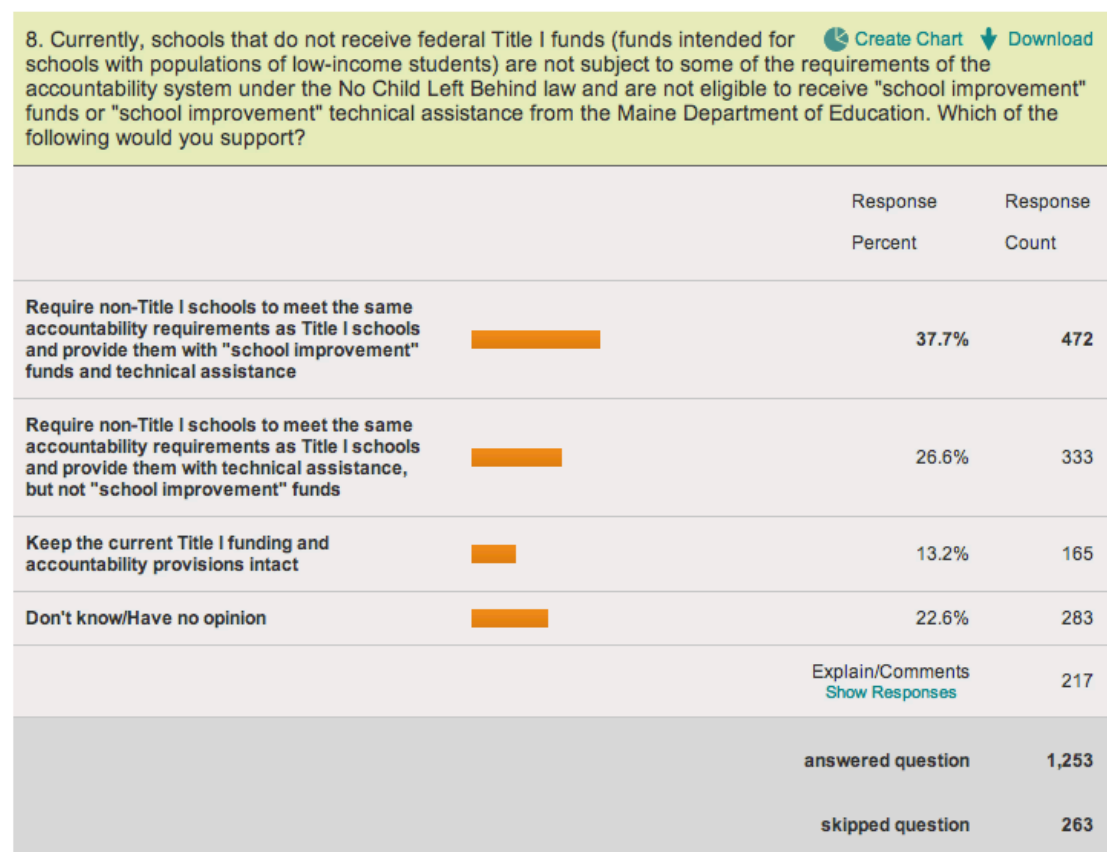
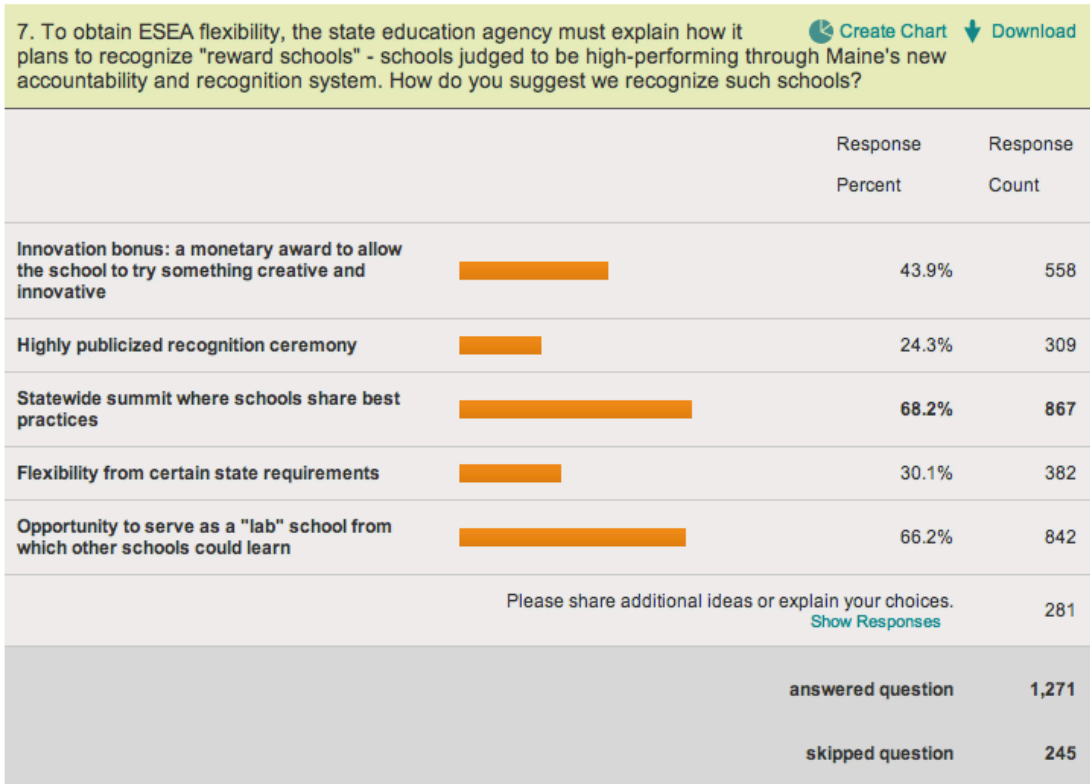


Question #5



ESEA flexibility guidelines require that data on growth in student achievement be a "significant factor" in teacher and principal evaluation systems, but the guidelines do not define the meaning of "significant." Should there be a single, statewide definition of "significant factor" (for example, growth in student achievement must count for XX percent of the score in measuring a teacher's performance), or should each school district be allowed to decide for itself how student achievement data is to be used in teacher and principal evaluations?

		Response Percent	Response Count
Single, statewide definition	<div></div>	37.5%	480
Local decision	<div></div>	62.5%	801
		Explain/Comments	492
		answered question	1,281
		skipped question	235



Attachment 2b

Comments on request received from LEAs and others – August 2012

ESEA Flexibility Waiver Summary Survey Respondent Comments Organized by Principle

With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
Creating an emphasis on "career" readiness is a strength. Creating flexibility in graduation requirements is also a strength.	It is unclear how the community will participate more fully in the career readiness piece. Not enough pathways between school and community/county/ state opportunities in place. No mention of STEM programs and how that could look in any given community.
Setting a standard for the state.	The waiver states, "...developing and administering annual, statewide, aligned, high-quality assessments, and corresponding academic achievement standards, that measure student growth in at least grades 3-8 and at least once in high school." How does this make sense to test young children so frequently (grades 3-8) and just once in high school to help determine college readiness?
your new standards appear achievable, as along as the "all" is meaningfully applied -- how will you ensure equity?	your standards change should specify that teachers are themselves required to upgrade their training beyond the industrial model training they continue to rely upon / everyone presumes is adequate for the 21st century
None	Why didn't we stay with the Maine Learning Results? Continuously changing the standards and targets have created poor alignment and lots of confusion. The MEA Science standards have not changed... if you look at student proficiency rates in this area, they are significantly above the rates in reading and math. Teachers have had time to backwards plan, establish purposeful activities to support student achievement, and perfect their skills and curriculum in Science... not so in reading and math.
Lofty expectations	Goals are set without detail of how support will be provided: How will this work be funded? Remember Maine's Blaine House scholarships which funded many of our state's best teachers in their continuing education? Where is the support for growth and sustenance of ALL teachers?

<p>With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
<p>Maine has adopted the "Common Core" standards which is a start. I feel that ELA and Math are well defined and educators can use them relatively easily in regards to translating the standards into the learning that students need.</p>	<p>The other subjects like science and social studies are missing from the "Common Core" and Maine has not adopted a set of standards that defines learning outcomes in these areas other than the outdated Maine Learning Results. The Common Core broadly defines "Reading standards for literacy in science, social studies and technical subjects, but does not specifically state what should be taught in the science, social studies and "technical" subjects and to what extent it should be taught. Since teachers and school districts do not have well defined standards, it is difficult to ask them to "reach for the stars" when the stars are not visible in the sky. In addition to that our students will be using technology to do their everyday jobs that has not even been invented yet. Teaching computer technology should be a priority and it is not. Our students, the adults of the future, need experience in this starting now and must stay up to date as time goes on. MLTI was a great start, but more needs to be done. How will they be able to do their job if they cannot use the technology? Before that, how will students be successful in college if they have no technology background from middle and high school? One great place to start would be for the state to adopt the ISTE NETS standards for students (as well as for teachers). Here is information from their website: "ISTE's NETS for Students (NETS•S) are the standards for evaluating the skills and knowledge students need to learn effectively and live productively in an increasingly global and digital world. Simply being able to use technology is no longer enough. Today's students need to be able to use technology to analyze, learn, and explore. Digital age skills are vital for preparing students to work, live, and contribute to the social and civic fabric of their communities."</p>
<p>Common Core State Standards Smarter Balance assessment system?</p>	<p>An assessment system to measure students' progress toward meeting the CCSS</p>

<p>With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
<p>Maine already had strong career and college readiness standards in place with the Maine Learning Results. Adoption of and integration of the CCSS is also underway. Prior to NCLB, Maine had among the highest performing students in the nation as measured by the apples-to-apples NAEP. Since NCLB instructional time has steadily been eroded by testing (often by for-profit entities), and learning for Maine students has suffered as a result. They were doing much better under the guidance of the Maine DOE without federal interference.</p>	<p>Dedicated funding to implement the CCSS. A plan to address children living in poverty, which is a large factor in educational outcomes.</p>
<p>The emphasis on our shift to the Common Core is the single greatest strength as it says, "As Maine goes, so goes the nation." It aligns us with majority and puts us squarely in the momentum toward a fully-realized standards-based system in Maine.</p>	<p>I believe it would be in the waivers best interest to identify clearly and specifically programs and initiatives in Maine public schools that support both college and career readiness for all students. The strength of our vocational schools and the growing numbers of schools in Maine that integrate academics with career/vocational prep i.e. Mt. Blue High School and Foster Tech. The Mass Customized Learning Cohort, the Positive Youth Development Institute -- initiatives and organizations such as these exist because Maine believes so strongly in achievement for all. Expectations can be defined by more than how we define curriculum.</p>
<p>The use of research based studies to formulate final working documents</p>	<p>It is important to better understand the effect of poverty on student achievement. The generational poverty found in some communities and its effect on educators in their attempt to educate their children must be recognized and accounted for. There are certainly some exceptions to the general rule but there is a reason why some areas of Maine continue to lag behind the rest of the state.</p>
<p>That finally the need to develop a career-ready path is being considered! To think that the vast majority of students will embark on a college path is ridiculous.</p>	<p>The career-ready path is poorly defined and developed. Since this is probably the path the majority of students will embark upon this needs to be carefully crafted.</p>
<p>Moving to Common Core Standards and development of 21st century science standards and having resources available on the website</p>	<p>Better system for measuring growth</p>

<p>With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
<p>Our children are being allowed to proceed as they learn. They should be tested that way as well.</p>	<p>You have totally disregarded students with disabilities. Firstly, they are included as a sub group-yet receive none of the financial benefit of title 1. For example, If a child has a language disorder-(and the budget for spec. ed has been trimmed to nothing) and does not receive adequate support in this area, there is no way that they are going to be able to take the NECAP tests. The alternative test (sorry can't think of the name off hand) is something my house cat could pass.</p>
<p>I'm not sure what the strengths are. Is it a strength that college and career readiness is synonymous w/ Maine Learning Results and Common Core? I know that in our district we've been working on this for many, many, many years.</p>	<p>It seems like we are entering a new (but familiar) cycle of documenting achievement, writing and rewriting standards and proposals for the purposes of documentation for the State, but we still assess and evaluate using the same sorts of standardized tests. Nationally we need to have college and career readiness in reading and math (right?). It seems like we always are focusing on these content areas... What about art and music and history and science? Literacy, whether it is reading, writing, math, etc. could be promoted within other content areas. Really the 3 R's are the old fashioned way of organizing school. It the "real" world the 3 r's are the tools to use within the subject areas of science, art, music, literature, history, health, etc. In our district money and time is always spent on the 3 r's (since the State assessments focus on these) and those of us who teach in other content areas are pretty much left on our own. I think this might be one reason we are having such a hard time transforming our schools into rich 21st century learning communities. I guess this response belongs in #5....</p>
<p>Maine has articulated the standards necessary for ALL students.</p>	<p>I am unclear as to whether this portion of the work contains the information regarding the financing of students engaging in early college programs.</p>
<p>I like that support will be given to schools. I also like the fact that schools that have a large number of Title I students are taken into account.</p>	<p>I think that special education students and ELL students should have special consideration and specialized support to schools.</p>

With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
	It appears that Maine will be changing state-level assessments. How will the state be able to compare this new testing to NECAP scores? There is no mention of school readiness or a common kindergarten screening tool. What about the role of early childhood education in all of this?
Replacement of MLRs with Common Core.	What supports will be in place to help school districts transition to new standards?
Measuring student achievement with a growth model	How will we measure growth between the NECAPS and Smarter Balance testing, what will be built into the plan to determine growth?
It still sounds like a one size fits all plan. My students are much more diverse in their natural abilities, their upbringing and their motivation. We need to identify how ready each student is when they graduate, a diploma should not be the only indicator of success, there needs to be some way to show what each student is ready for, be it college, a prep school or a non-academic career path. The expectation in school should match what the student wants to prepare for. Too many kids leave high school with good grades, but show up to college to find they need remediation.	We have put all accountability on schools, and none on students and their families. Schools cannot enforce attendance, so how can we be expected to raise standards. The students and families who make little or no effort to improve, or who deliberately underachieve to subvert the school's performance, should not be included in measurements of school effectiveness.
Too many schools in Maine have already changed the standards from the Common Core in their own schools, so that they are less rigorous than the actual Common Core Standards. It seems that we should either adopt all of them, or at least be honest that we are not adopting the entire packet of standards, so that the public will be aware of these differences when the assessment results are shared.	Not all subjects are covered. We are missing one of the most important subjects for 21st century learners: computer and technology education standards.
clear plan in place	more detail as to how Maine intends to ensure standards are met outside of access to resources.do we have any specific plans to put resources into practice

With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
For students to go where their strength and interest is. It is also making some systems look at their curriculum for a better up to date one.	Clearer expectations and standards, as well as real life training.
Made more realistic goals - is it realistic that 100% attain proficiency? Education is not a factory turning out 100% acceptable product. I feel it is realistic to show a percentage of improvement.	Can't think of anything missing.
The waiver request espouses commitment to providing a strong foundation in this category. Aligning with the Common Core standards is a positive move away from ambiguous Learning Results.	First off, if the waiver is written as carefully as the overview, it needs to be proofread. There is nothing that says how these expectations are to be met.
none	what will be required of parents and students in reaching graduation and being ready for college....teachers can't do this alone and parents and students need to be stakeholders....my district currently doesn't "believe in" retention so students are promoted without the skills needed to be successful. Students aren't required to attend after school tutoring if they are behind. Parents can opt out. How do we require students to participate to help them close the gap?
It's very hard to determine strengths because you've ignored a major part of our school's programs, namely the laptop initiative that has been in place for ten years.	The state of Maine has spent hundreds of millions of dollars on the highly touted laptop program which was supposed to get our kids career-ready. After ten years, where are the results? Our schools are still under-performing, and we still have a science and engineering brain drain. Yes, it's great that each kid has a computer, but all the money spent to actually teach with them seems to have been completely wasted.

With regard to Principle 1, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 1, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
	<p>Pretty concerned about SBAC's ability to deliver assessments which truly assess college and career readiness. Also, the next two years where instruction is supposed to be aligned to CCSS but schools will be judged by NECAP and SAT testing could create a distraction that mires down progress and allows educators to maintain a stance of "well, the tests aren't even aligned with the standards so you can't expect us to do well on them."</p>
<p>Maine is thinking outside the box to reform education through Maine Cohort for Mass Customized Learning. This is by far the most expansive approach to education in years. This research and performance-based changes in practices is the reason Maine's request is more than justified.</p>	<p>More emphasis on MCL, Robert Marzano and Performance-based education.</p>

<p>With regard to Principle 2, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 2, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
	<p>Unclear on "supports" to be provided to schools in need. How is "support" defined? What is the assessment tool to be implemented? I would suggest the use of the NWEA which is already in use in many schools and provides clear standards, goal and measurement.</p>
<p>The inclusion of accountability for the progress of different subgroups is very positive. Realistic goals for improvement in all areas clearly addresses the problem we have faced as a small, rural school with a very transient population.</p>	<p>I would like to see more support available for all schools, not just those that demonstrate a need for improvement. There are students at risk every where in this state.</p>
<p>There are some seeds of good thinking here. How could we hold schools accountable in a differentiated way? Great start!</p>	<p>1) If schools with smaller populations in a state like Maine are assessed by grade instead of a longitudinal measure, then there will be wide variation from year to year. One year's 8th grade could differ tremendously from another. 2) The criticism of moving targets in NCLB is contradicted by assigning a moving target! (5% every year or half of 6 year deficit every year) 3) Would a 93% proficient school fail if only 92% were proficient in that grade the next year? These would be different children than the 93% proficient, correct? This is comparing different samples. 4) The "within school gap index" will lead to yet more focus on pulling up bottom and less on pushing top. This ultimately lowers Maine's bar for education. When do we push the top? How much money is devoted to top 5% compared to bottom 15%? 5) I predict some of the top performing schools in the state will be in the list of "focus schools" based on your criteria. Think about it.</p>
	<p>I am very concerned about reducing the minimum number required to calculate subgroups from 20 to 10. I did not hear a compelling reason to make this subgroup size reduction. In schools of hundreds of students, 10 is not many, and I suspect would not be representative of the school's efforts.</p>

<p>With regard to Principle 3, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
<p>I like how there is an emphasis on supporting and hopefully improving weaker teachers. I</p>	<p>More details needed (measurements), for identifying the weak teachers within a district. Will there be incentives to teaching continually poor performing students, particularly if your status as a poor performing teacher is at stake. How does special education feature in this plan? It is unclear what the process is for teachers who do not meet the improvements.</p>
<p>The inclusion of principals as well as teachers is positive.</p>	<p>I would like to see superintendents evaluated, also. "Multiple ways of measuring an educator's effectiveness, including evaluation of professional practices and a look at the educator's impact on student achievement." The other "multiple ways" should be itemized as clearly as "...the educator's impact on student achievement." I didn't see an "Appeals Process" section... if it is not included, I think it should be.</p>
<p>Teacher evaluation includes multiple measures and educators are included in stakeholder group.</p>	<p>There needs to be a clear way to fairly assess the starting point of an educator's class when using student performance to evaluate teacher effectiveness. Other factors impact student performance such as socio-economic status, parental support, emotional trauma, differing abilities, and motivation. As a special educator, I am most concerned that my students with disabilities will be unwelcome in a classroom when their lack of achievement could adversely affect an educator's livelihood. Right now, all my students are welcome and included. We often group several students with disabilities in one classroom to efficiently use ed tech support. I'm afraid that will become a harder sell. It's easy for teachers to look good when their students come from affluent families and are highly motivated. That teachers are working with students with multiple challenges needs to be recognized in a fair way as part of the evaluation process. Teachers and schools are being evaluated on too much that is beyond their control. There also needs to be protections from negative evaluations motivated by political reasons or because of a teacher's pay scale.</p>

<p>With regard to Principle 3, what do you feel are the strengths of Maine's waiver request? – Open-Ended Response</p>	<p>With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver request? – Open-Ended Response</p>
<p>Allowing some use of programs already developed at the cost of much time and effort by many districts will help with buy-in. Perhaps sharing those program ideas with others will speed the process.</p>	<p>From past experience, I believe that administrators will be looking for a plan from MDOE that will spell out specifics of an evaluation plan and that will provide definite guidelines for professional development requirements. How do you ensure implementation of those guidelines by all?</p>
<p>Teachers and principals should be evaluated yearly, and they should be entitled to good, constructive feedback.</p>	<p>How will student test scores and teacher effectiveness be calculated?..... over how many years? What if the student population is transient? What do we do with students who are newcomers to the US? Will it be based solely on growth? I looked at your Maine Educator Effectiveness Council Membership, and I don't see anyone on there from the Portland Education Association. Is that true, or am I mistaken? How can that be? Isn't Portland the largest school district with the most diverse population? If it is true, it's really a huge mistake.</p>
<p>requiring effective instruction is doable</p>	<p>requiring effective instruction presupposes adequately trained teachers -- clean the slate. There needs to be coordination between the universities that train teachers and schools that deliver educational models -- school systems are top heavy with superintendents, take some of that money and invest it in training for your teachers.</p>
<p>Multiple ways of assessing that effectiveness.</p>	<p>Again, SUPPORT. When a school finds deficiencies, what is the path to strengthening that teacher's effectiveness, strengthening that principal's success as the teacher leader? And does a district or building have options that work for their particular community?</p>
<p>There appears to have been adequate consideration of using multiple measurement tools in the evaluation of instruction.</p>	<p>I continue to be concerned that single-point student assessments will receive too much attention simply because they are easily accessed, and the data they provide is easy to compare.</p>
<p>Well intended</p>	<p>Less emphasis on student scores as a measure of quality teaching; ignores too many other contributing factors.</p>

<p>With regard to Principle 3, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response</p>	<p>With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response</p>
<p>The movement to a required "performance evaluation and profession growth system" is a positive move.</p>	<p>The implementation and oversight of the teacher evaluation system should be again managed in a manner that considers the growth of the students from class to class. For example, I teach science at the high school level and many of my students have little to no science background. I teach the high school biology course beginning from the middle school level and have to bring them through the high school material. The students make gains, but I am well aware that they are not as proficient as their counterparts that enter high school biology with prior knowledge. In some ways my students gains are greater then some of the others, but in others they are still well below my desired expectations. How will this system address these scenarios. Also, similar to other states, it would be nice to have the certification and evaluation progress be accessible for staff through an online system. An example of such a system might be that used in Missouri where staff is able to report professional development and certification status online.</p>
<p>Good ideas.</p>	<p>Schools will need to given clear professional development in order to know how to evaluate their reading and math programs and how teachers are implementing them. Reading is so critical to student achievement, yet schools seem unable to figure out why students are not learning from their programming.</p>
<p>None</p>	<p>We continue to waffle as a state on standards... why not use the same teaching standards across the state?</p>
<p>An attempt to ensure professional and effective evaluation</p>	<p>Support for good teachers ...remember Blaine House scholarships? Good professional conferences that brought best practices to Maine teachers? Funding for teachers to attend national conferences? Principal's academy? In essence, support for the GOOD educators seeking professional growth: the best teachers are active learners themselves.</p>

With regard to Principle 3, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
Starting to go in the right direction.	Recognizing those who spend many hours developing their plans and do not even get recognized more for their contributions--when this is done--teachers will even give more to their educating.
	Teacher evaluation should remain at the district level
	Administration needs to be held accountable for not communicating changes to all stakeholders including most important the parents.
Some professional development for educators	Very little support for por parents without input and decision making mechanism for including teachers in the process
The current system does need rethinking.	<p>As an educator, the criteria for teacher accountability seems heavy on punishments and light on rewards. The High-Performance status of schools and teachers should include pay incentives. Period. If you're going to emulate private sector hiring/firing practices, you've got to also include the rewards. My name on a website? Getting to share strategies with other schools at DOE events? Gee, can we get a t-shirt and a handshake too? You can't have it both ways. You've got the stick, now where's the carrot? Secondly, teaching is a craft. There may be a few who are born into it, or emerge from the gate as innovative, creative superstars, but for the vast majority (myself included), the first years were a steep learning curve, filled with frustration and a profound lack of guidance and support. Once again, the language here is short on resources, and long on consequences. For most teachers, their education begins the moment they step into their first classroom. This discussion should revolve around molding and keeping teachers. Is there dead weight in the system? Absolutely. My point once again is that if you're going to be pruning, you also need to be planting and watering.</p>

With regard to Principle 3, what do you feel are the strengths of Maine's waiver request? - Open-Ended Response	With regard to Principle 3, what's missing, unclear, or should be added to strengthen Maine's waiver request? - Open-Ended Response
	I am uncertain as to whether or not the DOE has selected a research-based model other than the work of Charlotte Danielson to evaluate leadership and effective instruction. I do not believe that the majority of Maine schools are sufficient educated regarding Danielson's model.
??	How are evaluation systems going to be "common" throughout the State if each district is allowed to develop their own evaluation system?
I am glad there will be support for schools and teaching staff.	I think there should be specialized training for special education students and ELL students.
	It seems rather nebulous to me what is going to be used as a measure of effectiveness.
	Teacher evaluations should not be tied to high-stakes testing. Teachers should be evaluated based on student growth but not through arbitrary testing. Peer review by teachers will undermine the relationship among teachers in a district.

<p>Finally, please share any additional comments about Maine's plan for ESEA Flexibility as outlined in the draft executive summary. - Open-Ended Response</p>	<p>I do not see a lot of emphasis on supporting special education. Charter schools- how do they figure in this mix?</p>
<p>The draft executive summary is clear and reasonably well organized. The entire document, however, should be carefully proofread, since there are errors in sentence structure. These may have come about during partial deletions and re-writing. They should be corrected, since such a document as this should be a model of what we want our students to know about correct writing.</p>	<p>The waiver request is a good step forward. Common sense needs to prevail. Expectations need to be reasonable and attainable. Sufficient resources need to be applied to ensure success. The effects of class size need to be remembered as well. It is much easier for teachers to meet the needs of all learners in smaller classes.</p>
<p>Your time line appears to be flawed - one more year would give more sufficient time to develop the third part of this plan.</p>	<p>Standards are "standards." It is projected that special education students meet "standards" and participate in standard-based testing. Many students in special education are not able to make growth and meet standards primarily due to his/her disability. Some students are not 2 years behind in learning and, therefore, do not qualify to do a PAAP. These same students may never catch up to his/her peers; however, we expect them to meet the "standards." Where does that leave special educators?</p>
<p>How will the feedback being gathered with this survey and with the hearings be used? Are the hearings being well-attended, given the timeframe for the notice, and given the time of year?</p>	<p>SES should be eliminated. It has no effect on student NECAP scores while it drains funding from school programs.</p>

Attachment 3

*Notice and information provided to the public
regarding the request*

MAINE PUBLIC COMMUNICATIONS AND ENGAGEMENT

Below, please find:

- 1) General items in our Maine DOE Newsroom about the ESEA flexibility request. These include Commissioner's blog posts and general dispatches. All of these were included in our weekly Commissioner's Update, which is distributed to nearly 3000 subscribers, including all superintendents in the State.
- 2) Three Newsroom discussion items – we invited public participation in our Newsroom discussion via the reader comments.
- 3) Press releases. All of these went out to the media, made it into the weekly Commissioner's Update, and were posted in our online Newsroom.

General Maine DOE Newsroom items

Maine residents join first forum online to discuss ESEA flexibility draft

[<http://mainedoenews.net/2012/08/21/esea-online-forum/>](http://mainedoenews.net/2012/08/21/esea-online-forum/)

Posted on [August 21, 2012](#) by [Maine Department of Education](#)

A small group of Maine residents joined an online forum Monday night to provide Education Commissioner Stephen Bowen with feedback on the Department's draft proposal for flexibility under the Elementary and Secondary Education Act.

A call for ESEA flexibility feedback

[<http://mainedoenews.net/2012/05/31/call-for-feedback/>](http://mainedoenews.net/2012/05/31/call-for-feedback/)

Posted on [May 31, 2012](#) by [Commissioner Stephen Bowen](#)

This week, in addition to the usual updates about our work, I will ask for something from you. The September 2012 deadline to request flexibility from the federal government in Maine's implementation of the No Child Left Behind Act (or ...

Starting the serious work of crafting a new accountability system

[<http://mainedoenews.net/2012/02/13/serious-work-accountability/>](http://mainedoenews.net/2012/02/13/serious-work-accountability/)

Posted on [February 13, 2012](#) by [Commissioner Stephen Bowen](#)

When we took to the road in December, we wanted to hear what the public had to say about the system we use to hold our schools accountable. And hear from the public we did. We had more than 1,500 ...

Welcome news and a special opportunity

<<http://mainedoenews.net/2011/09/28/welcome-news-opportunity/>>

Posted on [September 28, 2011](#) by [Commissioner Stephen Bowen](#)

We've had a flurry of activity here at the Department of Education ever since the Obama administration last week released guidelines for states interested in securing waivers from certain provisions of the federal No Child Left Behind law.

Join statewide discussion on ESEA flexibility

<<http://mainedoenews.net/2012/08/20/statewide-discussion-esea/>>

Posted on [August 20, 2012](#) by [Commissioner Stephen Bowen](#)

Well, the time has come.

For nearly the past year, we've been working on a proposal for flexibility under the decade-old No Child Left Behind Act (or Elementary and Secondary Education Act). Maine will submit its application by Sept. 6, and it's important to us to involve the public one more time as we finalize a plan for creating a better school accountability and improvement system.

Accountability and improvement work in high gear

<<http://mainedoenews.net/2012/05/16/accountability-high-gear/>>

Posted on [May 16, 2012](#) by [Commissioner Stephen Bowen](#)

Our efforts to create an accountability and improvement system that works for our students, teachers and schools — and replaces the system we have under the No Child Left Behind Act — are kicking into high gear.

Bowen testimony in support of educator effectiveness bill

<<http://mainedoenews.net/2012/03/14/testimony-effectiveness-bill/>>

Posted on [March 14, 2012](#) by [Maine Department of Education](#)

The Maine Legislature's Education Committee held a public hearing March 14 on legislation that takes a number of steps to ensure an effective corps of teachers and school leaders who are well prepared to enter the classroom and receive regular feedback that helps them improve their practice.

Education Commissioner Stephen Bowen delivered the following testimony supporting LD 1858, [An Act to Ensure Effective Teaching and School Leadership](#).

Starting the serious work of crafting a new accountability system

<<http://mainedoenews.net/2012/02/13/serious-work-accountability/>>

Posted on [February 13, 2012](#) by [Commissioner Stephen Bowen](#)

When we [took to the road in December](#), we wanted to hear what the public had to say about the system we use to hold our schools accountable. And hear from the public we did. We had more than 1,500 people respond to an online survey; several dozen turned out at public forums in Bangor, Portland and online.

Portland forum focuses on fair, accurate assessment

<<http://mainedoenews.net/2011/12/15/portland-forum-assessment/>>

Posted on [December 15, 2011](#) by [Maine Department of Education](#)

PORTLAND — About 40 people turned out for a public forum at Portland Arts and Technology High School on Dec. 14 to discuss a new system for holding schools accountable, recognizing success and supporting schools in need of improvement with Education Commissioner Stephen Bowen.

Participants join online ESEA flexibility forum

<<http://mainedoenews.net/2011/12/15/online-flexibility-forum/>>

Posted on [December 15, 2011](#) by [Maine Department of Education](#)

A small, but engaged group of Maine residents signed into an online conference room on Dec. 13 to discuss Elementary and Secondary Education Act flexibility with Education Commissioner Stephen Bowen and share their ideas.

The upside of not being first

<<http://mainedoenews.net/2011/11/30/upside-not-first/>>

Posted on [November 30, 2011](#) by [Commissioner Stephen Bowen](#)

Sometimes, it's OK if we're not first.

In fact, it offers Maine an advantage when it comes to preparing an application for flexibility from provisions of the federal No Child Left Behind law.

Welcome news and a special opportunity

<<http://mainedoenews.net/2011/09/28/welcome-news-opportunity/>>

Posted on [September 28, 2011](#) by [Commissioner Stephen Bowen](#)

We've had a flurry of activity here at the Department of Education ever since the Obama administration last week [released guidelines](#) for states interested in securing waivers from certain provisions of the federal No Child Left Behind law.

[Statement on No Child Left Behind flexibility](#)

<<http://mainedoenews.net/2011/09/23/statement-nclb-flexibility/>>

Posted on [September 23, 2011](#) by [Maine Department of Education](#)

Maine Education Commissioner Stephen Bowen released the following statement today in response to President Obama's announcement of new flexibility for states from No Child Left Behind accountability requirements:

Press Releases

[Seeking public feedback on education plan](#)

<<http://mainedoenews.net/2012/08/15/seeking-feedback-on-education-plan/>>

Posted on [August 15, 2012](#) by [David Connerty-Marin](#)

AUGUSTA – The Maine Department of Education is inviting the public to weigh in one last time on its plan for creating a fairer and more constructive system for holding schools accountable and helping them improve.

[Maine DOE makes plans for improved accountability](#)

<<http://mainedoenews.net/2012/02/13/plans-improved-accountability/>>

Posted on [February 13, 2012](#) by [David Connerty-Marin](#)

AUGUSTA – The education commissioners in Maine and New Hampshire sent a joint letter to Washington, D.C., today that outlines their plans to craft a thoughtful, fair and constructive system for holding their schools accountable and helping them improve. The letter ...

[Maine DOE makes plans for improved accountability](#)

<<http://mainedoenews.net/2012/02/13/plans-improved-accountability/>>

Posted on [February 13, 2012](#) by [David Connerty-Marin](#)

AUGUSTA – The education commissioners in Maine and New Hampshire sent a joint letter to Washington, D.C., today that outlines their plans to craft a thoughtful, fair and constructive system for holding their schools accountable and helping them improve. The letter lays out the two states' intentions to get out from under the unfair and unrealistic No Child Left Behind accountability system, but through a deliberate and complete process that involves educators, parents and others in building an alternative.

Students seek voice in accountability

<<http://mainedoenews.net/2011/12/15/students-voice-accountability/>>

Posted on [December 15, 2011](#) by [Maine Department of Education](#)

PORTLAND – Education Commissioner Stephen Bowen met with 10 Portland-area high school students on Dec. 14 to ask for their thoughts on school accountability and how to measure school and teacher effectiveness.

The 10 students represented Portland, Deering and Casco Bay high schools, along with Portland Arts and Technology High School and the Real School in Falmouth.

Ed Commissioner in Portland tonight; seeks ideas on school accountability, recognition

<<http://mainedoenews.net/2011/12/14/portland-accountability-recognition/>>

Posted on [December 14, 2011](#) by [David Connerty-Marin](#)

PORTLAND — Education Commissioner Stephen Bowen will visit Portland tonight to ask the public for ideas on measuring school and teacher effectiveness, and crafting a system that holds schools accountable and rewards success.

First forum yields ideas on ESEA flexibility

<<http://mainedoenews.net/2011/12/09/forum-esea-flexibility/>>

Posted on [December 9, 2011](#) by [Maine Department of Education](#)

BANGOR — About 45 members of the public – including teachers, administrators and school board members – attended a public forum at Bangor High School on Dec. 8 to hear from Education Commissioner Stephen Bowen about Elementary and Secondary Education Act (ESEA) flexibility and to share ideas.

Below is a summary of their comments.

Students offer thoughts on accountability

<<http://mainedoenews.net/2011/12/09/students-thoughts-accountability/>>

Posted on [December 9, 2011](#) by [Maine Department of Education](#)

BANGOR — Education Commissioner Stephen Bowen met with eight students at Bangor High School on Dec. 8 to ask their thoughts on what makes for an effective school, and what makes for an effective teacher.

Ed Commissioner asks public for ideas on school accountability and recognition

<<http://mainedoenews.net/2011/12/05/ed-commissioner-asks-public-for-ideas-on-school-accountability-and-recognition/>>

Posted on [December 5, 2011](#) by [David Connerty-Marin](#)

AUGUSTA — The federal government is offering Maine, like all other states, a chance to develop its own system of accountability and recognition of schools — allowing the state to jettison what many now consider unrealistic and unfair requirements and negative labels in the current No Child Left Behind Act.

Newsroom Discussion

Last chance for input on ESEA flexibility

Posted on [August 15, 2012](#) by [Maine Department of Education](#)

The Maine DOE will submit a formal request for flexibility under the Elementary and Secondary Education Act to the U.S. Department of Education by Sept. 6. Maine is looking to create a fairer and more constructive system for holding schools accountable and helping them improve.

Discussion, continued: Maine's request for ESEA flexibility

<<http://mainedoenews.net/2012/08/15/last-chance-input-esea-flexibility/>>

Posted on [May 29, 2012](#) by [Maine Department of Education](#)

We want to hear from you.

The Maine DOE has entered the second, more earnest, phase of work [developing an accountability and improvement system](#) that's thoughtful, fair and constructive; a system that considers multiple valid measures in determining the performance of students and schools; and a system that helps struggling schools improve rather than feel stigmatized.

Discussion: Maine's request for ESEA flexibility

<<http://mainedoenews.net/2011/12/05/discussion-esea-flexibility/>>

Posted on [December 5, 2011](#) by [Maine Department of Education](#)

The Maine Department of Education wants to hear from you as it puts together a request to the federal government for flexibility in holding schools accountable and recognizing their success under the Elementary and Secondary Education Act (commonly known as No Child Left Behind).

COMMON CORE PUBLICITY

Conferences let teachers learn from peers on Common Core

<<http://mainedoenews.net/2012/05/16/teachers-common-core/>>

Posted on [May 16, 2012](#) by [Maine Department of Education](#)

Four daylong conferences this August will offer teachers a chance to hear from fellow Maine teachers about: reasoning and higher-order thinking skills; helping students to improve their writing; improving their own writing; and effective math instruction based on the Common ...

Webinar: Common Core's implications for Social Studies

<<http://mainedoenews.net/2012/05/02/webinar-social-studies/>>

Posted on [May 2, 2012](#) by [Maine Department of Education](#)

The Maine Department of Education's social studies specialist, Kristie Littlefield, will conduct a series of webinars on the Common Core State Standards for Literacy in History/Social Studies, designed specifically for social studies teachers.

Literacy conference emphasizes Common Core planning

<<http://mainedoenews.net/2012/04/20/common-core-planning/>>

Posted on [April 20, 2012](#) by [Maine Department of Education](#)

The Maine Department of Education's Summer Literacy Institute will bring together teams of educators to work on school and district plans for implementing the Common Core State Standards for English language arts, as well as the Common Core's literacy standards ...

Gov. LePage, Commissioner Bowen announce new education initiatives

<<http://mainedoenews.net/2012/02/08/new-education-initiatives/>>

Posted on [February 8, 2012](#) by [Maine Department of Education](#)

The following is a press release from the Office of Gov. Paul LePage New legislation "puts students first" AUGUSTA – Governor Paul LePage unveiled his education legislative agenda on Wednesday at the Somerset Career and Technical Education Center in Skowhegan. ...

High school math teachers' session addresses Common Core, reasoning

<<http://mainedoenews.net/2012/01/24/common-core-reasoning/>>

Posted on [January 24, 2012](#) by [Maine Department of Education](#)

The Association of Teachers of Mathematics in Maine (ATOMIM) is inviting high school math teachers to a session focused on the Common Core state standards for mathematics in the classroom through reasoning and sense making.

Curriculum group offers 2nd Common Core conference

<<http://mainedoenews.net/2012/01/18/common-core-conference/>>

Posted on [January 18, 2012](#) by [Maine Department of Education](#)

Teachers, administrators and school board members will gain insight into Maine's implementation of the Common Core state standards and federal education policy during a daylong conference on Jan. 27 in Brewer.

Webinar to address research behind Common Core math

<<http://mainedoenews.net/2011/10/05/webinar-research-common-core/>>

Posted on [October 5, 2011](#) by [Maine Department of Education](#)

The Regional Educational Laboratory – Northeast and Islands, to which Maine belongs, will host a webinar on Oct. 6 focused on the implementation of the Common Core state standards for math.

Maine steps up Common Core standards work

<<http://mainedoenews.net/2011/09/12/common-core-standards/>>

Posted on [September 12, 2011](#) by [Maine Department of Education](#)

The Maine Department of Education's content specialists are making various resources available to teachers, curriculum directors and other educators to help them implement the Common Core State Standards (CCSS).

Conference offered on Common Core

<<http://mainedoenews.net/2011/08/31/conference-common-core/>>

Posted on [August 31, 2011](#) by [Maine Department of Education](#)

Teachers, administrators and school board members will gain insight into Maine's implementation of the Common Core state standards and federal education policy during a daylong conference on Oct. 24 in Lewiston

Attachment 4

Evidence that Maine has formally adopted college- and career-ready content standards consistent with Maine's standards adoption process:

Notice of Rule Adoption with Maine Secretary of State

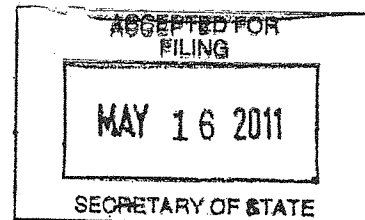
Rule-Making Cover Sheet

MAPA-1

TO: Secretary of State
ATTN: Administrative Procedure Officer,
State House Station 101, Augusta, Maine 04333.

2011-156

1. Agency: Education
2. Agency umbrella and unit number: 05-071
(2 digit umbrella # and 3 digit unit #)
3. Title of rule: The Maine Federal, State and Local Accountability Standards
4. Chapter number assigned to the rule: Chapter 131
(must be 3 digits or less)
5. Date(s)/method(s) of notice: August 11, 2010 Secretary of State Notice
6. Date(s)/place(s) of hearing(s): August 30, 2010, Cross State Office Building, Room 500,
10-12 noon
7. Type: ☐ new rule ☒ partial amendment(s) of existing rule
☐ suspension of existing rule ☐ repeal of rule ☐ emergency rule
☐ repeal and replace: complete replacement of existing chapter, with former version
simultaneously repealed.
8. Name/phone of agency contact person: Wanda Monthey, 207-624-6831,
wanda.monthey@maine.gov, Fax- 207-624-6821 / Jaci Holmes, 207-624-6669, jaci.holmes@maine.gov,
Fax 207-624-6601, Maine Department of Education, 23 State House Station, Augusta, ME, 04333-0023



9. If a major substantive rule under Title 5, c. 375, sub-CII-A, check one of the following

☐ Provisional adoption
(prior to Legislative review)

☒ Final adoption

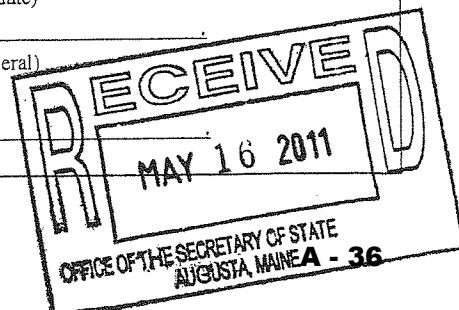
☐ emergency adoption of major-substantive rule

10. Certification Statement: I, Stephen L. Bowen hereby certify
that the attached is a true copy of the rule(s) described above and lawfully adopted by
the Maine Department of Education on 5/16/11
(name of agency) (date)
I further certify that all portions of this rule are adopted in compliance with the requirements
of the Maine Administrative Procedure Act.
Signature: [Signature]
(original signature, personally signed by the head of agency)
Printed name & title: Stephen L. Bowen, Commissioner, Maine Department of Education

11. Approved as to form and legality by the Attorney General on 5/16/11
(date)
Signature: [Signature]
(original signature, personally signed by an Assistant Attorney General)
Printed Name: Steven A. Forster

EFFECTIVE DATE:

JUN 15 2011



Attachment 4

Evidence that Maine has formally adopted college- and career-ready content standards consistent with Maine's standards adoption process:

Common Core except from Rule Chapter 131

Chapter 131: THE MAINE FEDERAL, STATE, AND LOCAL ACCOUNTABILITY STANDARDS

SUMMARY: This chapter outlines the Maine Federal, State, and Local Accountability Grade Level Expectations (GLE) pursuant to Title 20-A M.R.S.A §6202. The Maine Federal, State, and Local Accountability Grade Level Expectations define the State's content Grade Level Expectations for federal accountability. These Grade Level Expectations are described for the content areas of Mathematics, Reading, and Science. Each of the content areas is organized in one or more strands. The strands represent the subtopics within each discipline and are defined by the grade level expectations. The coding represented at the end of each GLE and included in () corresponds to code for the New England Comprehensive Assessment Program (NECAP) grade level expectation. **(The GLEs for Mathematics and Reading remain in effect through the 2011-12 school year. As of 2012-13, the College and Career Readiness Standards in Sections II-A and II-B of this document are in effect.)**

THIS IS AN EXCERPT FROM MAINE DOE RULE CHAPTER 131, INDICATING ADOPTION OF THE COMMON CORE STANDARDS IN ELA AND MATH. THE FULL TEXT OF THE RULE IS ON THE WEBPAGE OF THE MAINE SECRETARY OF STATE AT:
<http://www.maine.gov/sos/cec/rules/05/chaps05.htm>

Section II-A | College and Career Readiness Standards for English Language Arts – Effective 2012-2013

1. Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects K–5

1.1 College and Career Readiness Anchor Standards for Reading

The K–5 standards on the following pages define what students should understand and be able to do by the end of each grade. They correspond to the College and Career Readiness (CCR) anchor standards below by number. The CCR and grade-specific standards are necessary complements—the former providing broad standards, the latter providing additional specificity—that together define the skills and understandings that all students must demonstrate.

Key Ideas and Details

1. Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
2. Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.
3. Analyze how and why individuals, events, and ideas develop and interact over the course of a text.

Craft and Structure

4. Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.
5. Analyze the structure of texts, including how specific sentences, paragraphs, and larger portions of the text (e.g., a section, chapter, scene, or stanza) relate to each other and the whole.
6. Assess how point of view or purpose shapes the content and style of a text.

Integration of Knowledge and Ideas

7. Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.
8. Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.
9. Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

Range of Reading and Level of Text Complexity

10. Read and comprehend complex literary and informational texts independently and proficiently.

Section II-B | College and Career Readiness Standards for Mathematics – Effective 2012-2013

1. Mathematics | Kindergarten

In Kindergarten, instructional time should focus on two critical areas: (1) representing, relating, and operating on whole numbers, initially with sets of objects; (2) describing shapes and space. More learning time in Kindergarten should be devoted to number than to other topics.

(1) Students use numbers, including written numerals, to represent quantities and to solve quantitative problems, such as counting objects in a set; counting out a given number of objects; comparing sets or numerals; and modeling simple joining and separating situations with sets of objects, or eventually with equations such as $5 + 2 = 7$ and $7 - 2 = 5$. (Kindergarten students should see addition and subtraction equations, and student writing of equations in Kindergarten is encouraged, but it is not required.) Students choose, combine, and apply effective strategies for answering quantitative questions, including quickly recognizing the cardinalities of small sets of objects, counting and producing sets of given sizes, counting the number of objects in combined sets, or counting the number of objects that remain in a set after some are taken away.

(2) Students describe their physical world using geometric ideas (e.g., shape, orientation, spatial relations) and vocabulary. They identify, name, and describe basic two-dimensional shapes, such as squares, triangles, circles, rectangles, and hexagons, presented in a variety of ways (e.g., with different sizes and orientations), as well as three-dimensional shapes such as cubes, cones, cylinders, and spheres. They use basic shapes and spatial reasoning to model objects in their environment and to construct more complex shapes.

1a. Grade K Overview

Counting and Cardinality	<ul style="list-style-type: none"> • Know number names and the count sequence. • Count to tell the number of objects. • Compare numbers. 	<ol style="list-style-type: none"> 1. Make sense of problems and persevere in solving them. 2. Reason 	Mathematical Practices
--------------------------	---	---	------------------------

Operations and Algebraic Thinking	<ul style="list-style-type: none"> Understand addition as putting together and adding to, and understand subtraction as taking apart and taking from. 	abstractly and quantitatively.	
Number and Operations in Base Ten	<ul style="list-style-type: none"> Work with numbers 11–19 to gain foundations for place value. 	3. Construct viable arguments and critique the reasoning of others.	
Measurement and Data	<ul style="list-style-type: none"> Describe and compare measurable attributes. Classify objects and count the number of objects in categories. 	4. Model with mathematics.	
Geometry	<ul style="list-style-type: none"> Identify and describe shapes. Analyze, compare, create, and compose shapes. 	5. Use appropriate tools strategically.	
		6. Attend to precision.	
		7. Look for and make use of structure.	
		8. Look for and express regularity in repeated reasoning.	

Last Page of DOE Rule Chapter 131, indicating adoption date:

15.4 Using Probability to Make Decisions

15.4a Calculate expected values and use them to solve problems.

1. (+) Define a random variable for a quantity of interest by assigning a numerical value to each event in a sample space; graph the corresponding probability distribution using the same graphical displays as for data distributions.
2. (+) Calculate the expected value of a random variable; interpret it as the mean of the probability distribution.
3. (+) Develop a probability distribution for a random variable defined for a sample space in which theoretical probabilities can be calculated; find the expected value. *For example, find the theoretical probability distribution for the number of correct answers obtained by guessing on all five questions of a multiple-choice test where each question has four choices, and find the expected grade under various grading schemes.*
4. (+) Develop a probability distribution for a random variable defined for a sample space in which probabilities are assigned empirically; find the expected value. *For example, find a current data distribution on the number of TV sets per household in the United States, and calculate the expected number of sets per household. How many TV sets would you expect to find in 100 randomly selected households?*

15.4b Use probability to evaluate outcomes of decisions.

1. (+) Weigh the possible outcomes of a decision by assigning probabilities to payoff values and finding expected values.
 - a. Find the expected payoff for a game of chance. *For example, find the expected winnings from a state lottery ticket or a game at a fast-food restaurant.*
 - b. Evaluate and compare strategies on the basis of expected values. *For example, compare a high-deductible versus a low-deductible automobile insurance policy using various, but reasonable, chances of having a minor or a major accident.*
 2. (+) Use probabilities to make fair decisions (e.g., drawing by lots, using a random number generator).
 3. (+) Analyze decisions and strategies using probability concepts (e.g., product testing, medical testing, pulling a hockey goalie at the end of a game).
-

EFFECTIVE DATE:

August 31, 1997 – filing 97-260, major substantive: “Rules for Learning Results”

REPEALED AND REPLACED:

August 5, 2007 – filing 2007-282, major substantive: “The Maine Federal, State, and Local Accountability Standards”

AMENDED:

July 26, 2009 - filing 2009-287, major substantive

June 15, 2011 – filing 2011-156, major substantive

Attachment 4

Evidence that Maine has formally adopted college- and career-ready content standards consistent with Maine's standards adoption process:

Resolve authorizing final adoption of Chapter 131

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

**Resolve, Regarding Legislative Review of Portions of Chapter 131: The
Maine Federal, State and Local Accountability Standards, a Major
Substantive Rule of the Department of Education**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Adoption. Resolved: That final adoption of portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Attachment 4

Evidence that Maine has formally adopted college- and career-ready content standards consistent with Maine's standards adoption process:

Legislation authorizing Maine DOE to consider adopting Common Core standards

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Adopt the Common Core State Standards Initiative

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, national education reform includes the so-called "Common Core State Standards Initiative" standards for kindergarten to grade 12, which are internationally benchmarked and build toward college and career readiness by the time of high school graduation; and

Whereas, Maine's current system of learning results established under the Maine Revised Statutes, Title 20A, section 6209, and its system of assessment, do not include the Common Core State Standards Initiative standards; and

Whereas, immediate enactment of this legislation is necessary to ensure the State's eligibility to apply for a significant amount of federal funding for continued education reform, which is jeopardized by significant and continuing reductions in state funding for education; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §6209, first ¶, as corrected by RR 2007, c. 1, §8, is amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, which may include a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, as set forth in this section and in department rules implementing this section and other curricular requirements. The department must establish accountability standards at all grade levels in the areas of mathematics; reading; and science and technology. The department shall establish parameters for essential instruction and graduation requirements in English language arts; mathematics; science and technology; social studies; career and education development; visual and performing arts; health, physical education and wellness; and world languages. Only students in a public school or a private school approved for tuition that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment, are required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with disabilities as defined in section 7001, subsection 1-A.

Sec. 2. Emergency rulemaking. In accordance with the Maine Revised Statutes, Title 5, section 8054, the Commissioner of Education may adopt emergency rules to include in the statewide system of learning results and assessment a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2010

Attachment 5

*Memorandum of understanding or letter from
Maine's network of institutions of higher
education certifying that meeting Maine's
standards corresponds to being college- and career-
ready without the need for remedial coursework at
the postsecondary level*

MAINE MARITIME ACADEMY

CASTINE, MAINE 04420

207 / 826-2220

OFFICE OF THE PRESIDENT

June 7, 2010

Carol Whang
WestEd
730 Harrison Street
San Francisco, CA 94107-1242

RE: Letter of Intent for Institutes of Higher Education
SMARTER Balanced Assessment Consortium
Race to the Top Fund Assessment Program: Comprehensive Assessment
Systems Grant Application
CFDA Number: 84.395B

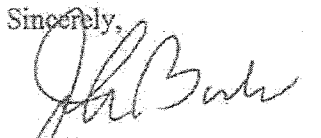
Dear Ms. Whang:

It is the intent of Maine Maritime Academy to participate in the following:

- a. Participation with the Consortium in the design and development of the Consortium's final high school summative assessments in mathematics and English language arts in order to ensure that the assessments measure college readiness; and
- b. Implementation of policies, once the final high school summative assessments are implemented, that exempt from remedial courses and place into credit-bearing college courses any student who meets the Consortium-adopted achievement standard (as defined in the NIA) for each assessment and any other placement requirement established by the Institution of Higher Education of Institution of Higher Education System.

Thank you for the opportunity to participate in this initiative.

Sincerely,


John Barlow
V.P. For Academic Affairs

Enc.

ME-1

(b) Total Number of Direct Matriculation Students (as defined in the NIA) in the Partner IHE or IHE system in the 2008–2009 School Year

Note: NIA defines direct matriculation student as a student who entered college as a freshman within two years of graduating from high school

State	Name of Participating IHEs	Number of Direct Matriculation Students in IHE in 2008-2009	Total Direct Matriculation Students in State in 2008-2009
MAINE	MAINE MARITIME ACADEMY	566	

(c) Partner IHE or IHE System Signature Blocks

IHE or IHE system SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application.

Each IHE or IHE system commits to the following agreements:

- (a) Participation with the Consortium in the design and development of the Consortium's final high school summative assessments in mathematics and English language arts in order to ensure that the assessments measure college readiness; and
- (b) Implementation of policies, once the final high school summative assessments are implemented, that exempt from remedial courses and place into credit-bearing college courses any student who meets the Consortium-adopted achievement standard (as defined in the NIA) for each assessment and any other placement requirement established by the IHE or IHE system.

State Name:

MAINE

State's higher education executive officer, if State has one (Printed Name):

Telephone:

Signature State's higher education executive officer, if State has one:

Date:

President or head of each participating IHE or IHE system, (Printed Name):

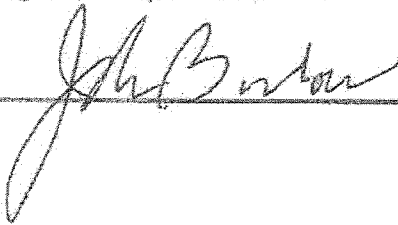
Telephone:

John Barlow, Maine Maritime Academy

(207) 326-2371

Signature of president or head of each participating IHE or IHE system:

Date:



6/8/10

May 14, 2010

3

ME-3



Maine's
Public
Universities

UNIVERSITY OF MAINE SYSTEM

May 17, 2010

Office of the Chancellor
16 Central Street
Bangor, ME 04401-5106

Tel: 207-973-3205
Fax: 207-973-3221
TDD/TTY: 207-973-3262
www.maine.edu

The Honorable Arne Duncan
Secretary of Education
US Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Duncan:

The University of Maine

University of Maine
at Augusta

University of Maine
at Farmington

University of Maine
at Fort Kent

University of Maine
at Machias

University of Maine
at Presque Isle

University of
Southern Maine

As Chancellor of the University of Maine System, I am writing to express support for the educational goals that Maine's Governor John Baldacci and our Department of Education have put forward for the schools of our state. These goals are the foundation of Maine's Race To The Top application, and they will transform teaching and learning in Maine for years to come.

Several elements of Maine's Race To The Top application will strengthen our ability to create learning environments in which all of Maine's students have the opportunity to realize their full potential. Maine's plan will:

- Strengthen and expand quality standards and assessments for teaching and learning by implementing a balanced assessment system of learning and for learning that informs instructional practice, while providing support structures for all students to achieve the standards;
- Implement and use longitudinal data systems to support teaching and learning by measuring student growth and informing instruction;
- Support mentoring for teachers and leaders to create the personal journey required for the success of next generation learners; and
- Improve student achievement through whole school improvement of all schools, especially those recognized as previously low-performing.

The Race To The Top grant program presents a great opportunity for the State of Maine and its students. An educational reform effort of this magnitude needs strong partnerships among educators, parents, students, administrators, local school boards, community leaders, and State policy makers. The Maine Department of Education is committed to this essential work and the University of Maine System looks forward to our continued partnership with the Department as we prepare our students for successful careers and citizenship.

Sincerely,

Richard L. Pattenaude
Chancellor, University of Maine System

cc: Governor John Baldacci
Senator Susan Collins
Senator Olympia Snowe

ME-4

(b) Total Number of Direct Matriculation Students (as defined in the NIA) in the Partner IHE or IHE system in the 2008–2009 School Year

Note: NIA defines direct matriculation student as a student who entered college as a freshman within two years of graduating from high school

State	Name of Participating IHEs	Number of Direct Matriculation Students in IHE in 2008-2009	Total Direct Matriculation Students in State in 2008-2009

(c) Partner IHE or IHE System Signature Blocks

IHE or IHE system SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application.

Each IHE or IHE system commits to the following agreements:

- (a) Participation with the Consortium in the design and development of the Consortium's final high school summative assessments in mathematics and English language arts in order to ensure that the assessments measure college readiness; and
- (b) Implementation of policies, once the final high school summative assessments are implemented, that exempt from remedial courses and place into credit-bearing college courses any student who meets the Consortium-adopted achievement standard (as defined in the NIA) for each assessment and any other placement requirement established by the IHE or IHE system.

State Name:

Maine

State's higher education executive officer, if State has one (Printed Name): Richard L. Pattenau, Chancellor

University of Maine System

16 Central Street, Bangor, ME 04401

Telephone:

207-973-3205

Signature State's higher education executive officer, if State has one:

Date:



June 8, 2010

President or head of each participating IHE or IHE system, (Printed Name):

Telephone:

Signature of president or head of each participating IHE or IHE system:

Date:

Letter of Intent for Institutes of Higher Education

SMARTER Balanced Assessment Consortium

**Race to the Top Fund Assessment Program: Comprehensive Assessment
Systems Grant Application**

CFDA Number: 84.395B

The purpose of this Letter of Intent is to

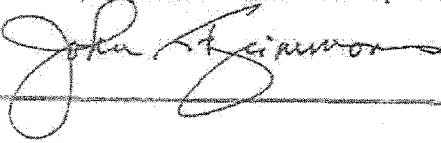
- (a) Detail the responsibilities of the IHE or IHE system,
- (b) Identify the total number of direct matriculation students in the partner IHE or IHE system in the 2008–2009 school year, and
- (c) Commit the State's higher education executive officer (if the State has one) and the president or head of each participating IHE or IHE system through signature blocks.

(a) Detail the responsibilities of the IHE or IHE system

Each IHE or IHE system commits to the following agreements:

1. Participation with the Consortium in the design and development of the Consortium's final high school summative assessments in mathematics and English language arts in order to ensure that the assessments measure college readiness; and
2. Implementation of policies, once the final high school summative assessments are implemented that exempt from remedial courses and place into credit-bearing college courses any student who meets the Consortium-adopted achievement standard (as defined in the NIA) for each assessment and any other placement requirement established by the IHE or IHE system.

(c) Partner IHE or IHE System Signature Blocks

IHE or IHE system SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application.	
Each IHE or IHE system commits to the following agreements:	
<p>(a) Participation with the Consortium in the design and development of the Consortium's final high school summative assessments in mathematics and English language arts in order to ensure that the assessments measure college readiness; and</p> <p>(b) Implementation of policies, once the final high school summative assessments are implemented, that exempt from remedial courses and place into credit-bearing college courses any student who meets the Consortium-adopted achievement standard (as defined in the NIA) for each assessment and any other placement requirement established by the IHE or IHE system.</p>	
State Name:	
Maine	
State's higher education executive officer, if State has one (Printed Name):	Telephone:
Signature State's higher education executive officer, if State has one:	Date:
President or head of each participating IHE or IHE system, (Printed Name): JOHN FITZSIMMONS, SYSTEM PRESIDENT MAINE COMMUNITY COLLEGE SYSTEM	Telephone: 207-629-4000
Signature of president or head of each participating IHE or IHE system:	Date:
	6/9/10

Attachment 6

Maine's Race to the Top Assessment Memorandum of Understanding

Memorandum of Understanding

SMARTER Balanced Assessment Consortium

Race to the Top Fund Assessment Program: Comprehensive Assessment
Systems Grant Application

CFDA Number: 84.395B

This Memorandum of Understanding ("MOU") is entered as of May 26, 2010, by and between the SMARTER Balanced Assessment Consortium (the "Consortium") and the State of Maine, which has elected to participate in the Consortium as (check one)

☐ An Advisory State (description in section e),

OR

☒ A Governing State (description in section e),

pursuant to the Notice Inviting Applications for the Race to the Top Fund Assessment Program for the Comprehensive Assessment Systems Grant Application (Category A), henceforth referred to as the "Program," as published in the Federal Register on April 9, 2010 (75 FR 18171-18185).

The purpose of this MOU is to

- (a) Describe the Consortium vision and principles,
- (b) Detail the responsibilities of States in the Consortium,
- (c) Detail the responsibilities of the Consortium,
- (d) Describe the management of Consortium funds,
- (e) Describe the governance structure and activities of States in the Consortium,
- (f) Describe State entrance, exit, and status change,
- (g) Describe a plan for identifying existing State barriers, and
- (h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks:

(i)(A) Advisory State Assurance

OR

(i)(B) Governing State Assurance

AND

(ii) State Procurement Officer

(a) Consortium Vision and Principles

The Consortium's priorities for a new generation assessment system are rooted in a concern for the valid, reliable, and fair assessment of the deep disciplinary understanding and higher-order thinking skills that are increasingly demanded by a knowledge-based economy. These priorities are also rooted in a belief that assessment must support ongoing improvements in instruction and learning, and must be useful for all members of the educational enterprise: students, parents, teachers, school administrators, members of the public, and policymakers.

The Consortium intends to build a flexible system of assessment based upon the Common Core Standards in English language arts and mathematics with the intent that all students across this Consortium of States will know their progress toward college and career readiness.

The Consortium recognizes the need for a system of formative, interim, and summative assessments—organized around the Common Core Standards—that support high-quality learning, the demands of accountability, and that balance concerns for innovative assessment with the need for a fiscally sustainable system that is feasible to implement. The efforts of the Consortium will be organized to accomplish these goals.

The comprehensive assessment system developed by the Consortium will include the following key elements and principles:

1. A Comprehensive Assessment System that will be grounded in a thoughtfully integrated learning system of standards, curriculum, assessment, instruction and teacher development that will inform decision-making by including formative strategies, interim assessments, and summative assessments.
2. The assessment system will measure the full range of the Common Core Standards including those that measure higher-order skills and will inform progress toward and acquisition of readiness for higher education and multiple work domains. The system will emphasize deep knowledge of core concepts within and across the disciplines, problem solving, analysis, synthesis, and critical thinking.
3. Teachers will be involved in the design, development, and scoring of assessment items and tasks. Teachers will participate in the alignment of the Common Core Standards and the identification of the standards in the local curriculum.
4. Technology will be used to enable adaptive technologies to better measure student abilities across the full spectrum of student performance and evaluate growth in learning; to support online simulation tasks that test higher-order abilities; to score the results; and to deliver the responses to trained scorers/teachers to access from an

SMARTER Balanced Assessment Consortium MOU

electronic platform. Technology applications will be designed to maximize interoperability across user platforms, and will utilize open-source development to the greatest extent possible.

5. A sophisticated design will yield scores to support evaluations of student growth, as well as school, teacher, and principal effectiveness in an efficient manner.
6. On-demand and curriculum-embedded assessments will be incorporated over time to allow teachers to see where students are on multiple dimensions of learning and to strategically support their progress.
7. All components of the system will incorporate principles of Universal Design that seek to remove construct-irrelevant aspects of tasks that could increase barriers for non-native English speakers and students with other specific learning needs.
8. Optional components will allow States flexibility to meet their individual needs.

(b) Responsibilities of States in the Consortium

Each State agrees to the following element of the Consortium's Assessment System:

- Adopt the Common Core Standards, which are college- and career-ready standards, and to which the Consortium's assessment system will be aligned, no later than December 31, 2011.

Each State that is a member of the Consortium in 2014–2015 also agrees to the following:

- Adopt common achievement standards no later than the 2014–2015 school year,
- Fully implement statewide the Consortium summative assessment in grades 3–8 and high school for both mathematics and English language arts no later than the 2014–2015 school year,
- Adhere to the governance as outlined in this document,
- Agree to support the decisions of the Consortium,
- Agree to follow agreed-upon timelines,
- Be willing to participate in the decision-making process and, if a Governing State, final decision, and
- Identify and implement a plan to address barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system.

(c) Responsibilities of the Consortium

The Consortium will provide the following by the 2014-15 school year:

1. A comprehensively designed assessment system that includes a strategic use of a variety of item types and performance assessments of modest scope to assess the full range of the Common Core Standards with an emphasis on problem solving, analysis, synthesis, and critical thinking.
2. An assessment system that incorporates a required summative assessment with optional formative/benchmark components which provides accurate assessment of all students (as defined in the Federal notice) including students with disabilities, English learners, and low- and high-performing students.
3. Except as described above, a summative assessment that will be administered as a computer adaptive assessment and include a minimum of 1–2 performance assessments of modest scope.
4. Psychometrically sound scaling and equating procedures based on a combination of objectively scored items, constructed-response items, and a modest number of performance tasks of limited scope (e.g., no more than a few days to complete).
5. Reliable, valid, and fair scores for students and groups that can be used to evaluate student achievement and year-to-year growth; determine school/district/state effectiveness for Title I ESEA; and better understand the effectiveness and professional development needs of teachers and principals.
6. Achievement standards and achievement level descriptors that are internationally benchmarked.
7. Access for the State or its authorized delegate to a secure item and task bank that includes psychometric attributes required to score the assessment in a comparable manner with other State members, and access to other applications determined to be essential to the implementation of the system.
8. Online administration with limited support for paper-and-pencil administration through the end of the 2016–17 school year. States using the paper-and-pencil option will be responsible for any unique costs associated with the development and administration of the paper-and-pencil assessments.

SMARTER Balanced Assessment Consortium MOU

9. Formative assessment tools and supports that are developed to support curricular goals, which include learning progressions, and that link evidence of student competencies to the summative system.
10. Professional development focused on curriculum and lesson development as well as scoring and examination of student work.
11. A representative governance structure that ensures a strong voice for State administrators, policymakers, school practitioners, and technical advisors to ensure an optimum balance of assessment quality, efficiency, costs, and time. The governance body will be responsible for implementing plans that are consistent with this MOU, but may make changes as necessary through a formal adoption process.
12. Through at least the 2013–14 school year, a Project Management Partner (PMP) that will manage the logistics and planning on behalf of the Consortium and that will monitor for the U.S. Department of Education the progress of deliverables of the proposal. The proposed PMP will be identified no later than August 4, 2010.
13. By September 1, 2014, a financial plan will be approved by the Governing States that will ensure the Consortium is efficient, effective, and sustainable. The plan will include as revenue at a minimum, State contributions, federal grants, and private donations and fees to non-State members as allowable by the U.S. Department of Education.
14. A consolidated data reporting system that enhances parent, student, teacher, principal, district, and State understanding of student progress toward college- and career-readiness.
15. Throughout the 2013–14 school year, access to an online test administration application, student constructed-response scoring application and secure test administration browsers that can be used by the Total State Membership to administer the assessment. The Consortium will procure resources necessary to develop and field test the system. However, States will be responsible for any hardware and vendor services necessary to implement the operational assessment. Based on a review of options and the finance plan, the Consortium may elect to jointly procure these services on behalf of the Total State Membership.

(d) Management of Consortium Funds

All financial activities will be governed by the laws and rules of the State of Washington, acting in the role of Lead Procurement State/Lead State, and in accordance with 34 CFR 80.36. Additionally, Washington is prepared to follow the guidelines for grant management associated with the American Recovery and Reinvestment Act (ARRA), and will be legally responsible for the use of grant funds and for ensuring that the project is carried out by the Consortium in accordance with Federal requirements. Washington has already established an ARRA Quarterly reporting system (also referred to as *1512 Reporting*).

Per Washington statute, the basis of how funding management actually transpires is dictated by the method of grant dollar allocation, whether upfront distribution or pay-out linked to actual reimbursables. Washington functions under the latter format, generating claims against grant funds based on qualifying reimbursables submitted on behalf of staff or clients, physical purchases, or contracted services. Washington's role as Lead Procurement State/Lead State for the Consortium is not viewed any differently, as monetary exchanges will be executed against appropriate and qualifying reimbursables aligned to expenditure arrangements (i.e., contracts) made with vendors or contractors operating under "personal service contracts," whether individuals, private companies, government agencies, or educational institutions.

Washington, like most States, is audited regularly by the federal government for the accountability of federal grant funds, and has for the past five years been without an audit finding. Even with the additional potential for review and scrutiny associated with ARRA funding, Washington has its fiscal monitoring and control systems in place to manage the Consortium needs.

- As part of a comprehensive system of fiscal management, Washington's accounting practices are stipulated in the State Administrative and Accounting Manual (SAAM) managed by the State's Office of Financial Management. The SAAM provides details and administrative procedures required of all Washington State agencies for the procurement of goods and services. As such, the State's educational agency is required to follow the SAAM; actions taken to manage the fiscal activities of the Consortium will, likewise, adhere to policies and procedures outlined in the SAAM.
- For information on the associated contracting rules that Washington will adhere to while serving as fiscal agent on behalf of the Consortium, refer to the Revised Code of Washington (RCW) 39.29 "Personal Service Contracts." Regulations and policies authorized by this RCW are established by the State's Office of Financial Management, and can be found in the SAAM.

(e) Governance Structure and Activities of States in the Consortium

As shown in the SMARTER Balanced Assessment Consortium governance structure, the Total State Membership of the Consortium includes Governing and Advisory States, with Washington serving in the role of Lead Procurement State/Lead State on behalf of the Consortium.

A Governing State is a State that:

- Has fully committed to this Consortium only and met the qualifications specified in this document,
- Is a member of only one Consortium applying for a grant in the Program,
- Has an active role in policy decision-making for the Consortium,
- Provides a representative to serve on the Steering Committee,
- Provides a representative(s) to serve on one or more Work Groups,
- Approves the Steering Committee Members and the Executive Committee Members,
- Participates in the final decision-making of the following:
 - Changes in Governance and other official documents,
 - Specific Design elements, and
 - Other issues that may arise.

An Advisory State is a State that:

- Has not fully committed to any Consortium but supports the work of this Consortium,
- Participates in all Consortium activities but does not have a vote unless the Steering Committee deems it beneficial to gather input on decisions or chooses to have the Total Membership vote on an issue,
- May contribute to policy, logistical, and implementation discussions that are necessary to fully operationalize the SMARTER Balanced Assessment System, and
- Is encouraged to participate in the Work Groups.

Organizational Structure

Steering Committee

The Steering Committee is comprised of one representative from each Governing State in the Consortium. Committee members may be a chief or his/her designee. Steering Committee Members must meet the following criteria:

- Be from a Governing State,
- Have prior experience in either the design or implementation of curriculum and/or assessment systems at the policy or implementation level, and
- Must have willingness to serve as the liaison between the Total State Membership and Working Groups.

Steering Committee Responsibilities

- Determine the broad picture of what the assessment system will look like,

SMARTER Balanced Assessment Consortium MOU

- Receive regular reports from the Project Management Partner, the Policy Coordinator, and the Content Advisor,
- Determine the issues to be presented to the Governing and/or Advisory States,
- Oversee the expenditure of funds in collaboration with the Lead Procurement State/Lead State,
- Operationalize the plan to transition from the proposal governance to implementation governance, and
- Evaluate and recommend successful contract proposals for approval by the Lead Procurement State/Lead State.

Executive Committee

- The Executive Committee is made up of the Co-Chairs of the Executive Committee, a representative from the Lead Procurement State/Lead State, a representative from higher education and one representative each from four Governing States. The four Governing State representatives will be selected by the Steering Committee. The Higher Education representative will be selected by the Higher Education Advisory Group, as defined in the Consortium Governance document.
- For the first year, the Steering Committee will vote on four representatives, one each from four Governing States. The two representatives with the most votes will serve for three years and the two representatives with the second highest votes will serve for two years. This process will allow for the rotation of two new representatives each year. If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

Executive Committee Responsibilities

- Oversee development of SMARTER Balanced Comprehensive Assessment System,
- Provide oversight of the Project Management Partner,
- Provide oversight of the Policy Coordinator,
- Provide oversight of the Lead Procurement State/Lead State,
- Work with project staff to develop agendas,
- Resolve issues,
- Determine what issues/decisions are presented to the Steering Committee, Advisory and/or Governing States for decisions/votes,
- Oversee the expenditure of funds, in collaboration with the Lead Procurement State/Lead State, and
- Receive and act on special and regular reports from the Project Management Partner, the Policy Coordinator, the Content Advisor, and the Lead Procurement State/Lead State.

Executive Committee Co-Chairs

- Two Co-chairs will be selected from the Steering Committee States. The two Co-chairs must be from two different states. Co-chairs will work closely with the Project Management Partner. Steering Committee members wishing to serve as Executive Committee Co-chairs will submit in writing to the Project Management Partner their willingness to serve. They will need to provide a document signed by their State Chief indicating State support for this role. The Project Management Partner will then prepare a ballot of interested individuals. Each Steering Committee member will vote on the two individuals they wish to serve as Co-chair. The individual with the most votes will serve as the new Co-chair.
- Each Co-chair will serve for two years on a rotating basis. For the first year, the Steering committee will vote on two individuals and the one individual with the most votes will serve a three-year term and the individual with the second highest number of votes will serve a two-year term.
- If an individual is unable to complete the full term of office, then the above process will occur to choose an individual to serve for the remainder of the term of office.

Executive Committee Co-Chair Responsibilities

- Set the Steering Committee agendas,
- Set the Executive Committee agenda,
- Lead the Executive Committee meetings,
- Lead the Steering Committee meetings,
- Oversee the work of the Executive Committee,
- Oversee the work of the Steering Committee,
- Coordinate with the Project Management Partner,
- Coordinate with Content Advisor,
- Coordinate with Policy coordinator,
- Coordinate with the Technical Advisory Committee (TAC), and
- Coordinate with Executive Committee to provide oversight to the Consortium.

Decision-making

Consensus will be the goal of all decisions. Major decisions that do not reach consensus will go to a simple majority vote. The Steering Committee will determine what issues will be referred to the Total State Membership. Each member of each group (Advisory/Governing States, Steering Committee, Executive Committee) will have one vote when votes are conducted within each group. If there is only a one to three vote difference, the issue will be re-examined to seek greater consensus. The Steering Committee will be responsible for preparing additional information as to the pros and cons of the issue to assist voting States in developing consensus and reaching a final decision. The Steering Committee may delegate this responsibility to the Executive Committee. The Executive Committee will decide which decisions or issues are votes to

SMARTER Balanced Assessment Consortium MOU

be taken to the Steering Committee. The Steering Committee makes the decision to take issues to the full Membership for a vote.

The Steering Committee and the Governance/Finance work group will collaborate with each Work Group to determine the hierarchy of the decision-making by each group in the organizational structure.

Work Groups

The Work Groups are comprised of chiefs, assessment directors, assessment staff, curriculum specialists, professional development specialists, technical advisors and other specialists as needed from States. Participation on a workgroup will require varying amounts of time depending on the task. Individuals interested in participating on a Work Group should submit their request in writing to the Project Management Partner indicating their preferred subgroup. All Governing States are asked to commit to one or more Work Groups based on skills, expertise, and interest within the State to maximize contributions and distribute expertise and responsibilities efficiently and effectively. The Consortium has established the following Work Groups:

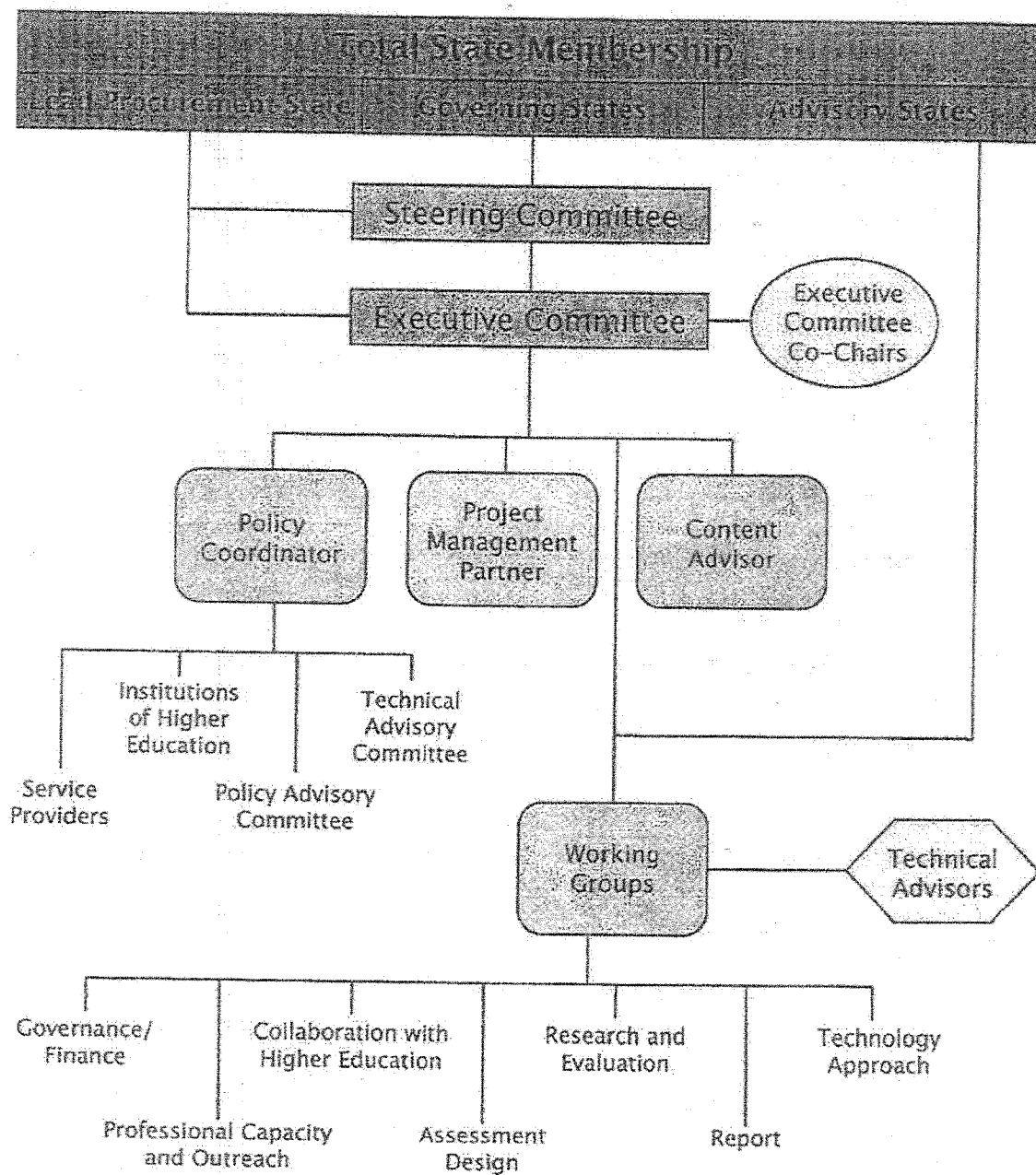
- Governance/Finance,
- Assessment Design,
- Research and Evaluation,
- Report,
- Technology Approach,
- Professional Capacity and Outreach, and
- Collaboration with Higher Education.

The Consortium will also support the work of the Work Groups through a Technical Advisory Committee (TAC). The Policy Coordinator in collaboration with the Steering Committee will create various groups as needed to advise the Steering Committee and the Total State Membership. Initial groups will include

- Institutions of Higher Education,
- Technical Advisory Committee,
- Policy Advisory Committee, and
- Service Providers.

An organizational chart showing the groups described above is provided on the next page.

SMARTER Balanced Assessment Consortium Organizational Structure



(f) State Entrance, Exit, and Status Change

This MOU shall become effective as of the date first written above upon signature by both the Consortium and the Lead Procurement State/Lead State (Washington) and remain in force until the conclusion of the Program, unless terminated earlier in writing by the Consortium as set forth below.

Entrance into Consortium

Entrance into the Smarter Balanced Assessment Consortium is assured when:

- The level of membership is declared and signatures are secured on the MOU from the State's Commissioner, State Superintendent, or Chief; Governor; and President/Chair of the State Board of Education (if the State has one);
- The signed MOU is submitted to the Consortium Grant Project Manager (until June 23) and then the Project Management Partner after August 4, 2010;
- The Advisory and Governing States agree to and adhere to the requirements of the governance;
- The State's Chief Procurement Officer has reviewed its applicable procurement rules and provided assurance that it may participate in and make procurements through the Consortium;
- The State is committed to implement a plan to identify any existing barriers in State law, statute, regulation, or policy to implementing the proposed assessment system and to addressing any such barriers prior to full implementation of the summative assessment components of the system; and
- The State agrees to support all decisions made prior to the State joining the Consortium.

After receipt of the grant award, any request for entrance into the Consortium must be approved by the Executive Committee. Upon approval, the Project Management Partner will then submit a change of membership to the USED for approval. A State may begin participating in the decision-making process after receipt of the MOU.

Exit from Consortium

Any State may leave the Consortium without cause, but must comply with the following exit process:

- A State requesting an exit from the Consortium must submit in writing their request and reasons for the exit request,
- The written explanation must include the statutory or policy reasons for the exit,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU,
- The Executive Committee will act upon the request within a week of the request, and
- Upon approval of the request, the Project Management Partner will then submit a change of membership to the USED for approval.

SMARTER Balanced Assessment Consortium MOU

Changing Roles in the Consortium

A State desiring to change from an Advisory State to a Governing State or from a Governing State to an Advisory State may do so under the following conditions:

- A State requesting a role change in the Consortium must submit in writing their request and reasons for the request,
- The written request must be submitted to the Project Management Partner with the same signatures as required for the MOU, and
- The Executive Committee will act upon the request within a week of the request and submit to the USED for approval.

(g) Plan for Identifying Existing State Barriers

Each State agrees to identify existing barriers in State laws, statutes, regulations, or policies by noting the barrier and the plan to remove the barrier. Each State agrees to use the table below as a planning tool for identifying existing barriers. States may choose to include any known barriers in the table below at the time of signing this MOU.

Barrier	Issue/Risk of Issue (if known)	Statute, Regulation, or Policy	Governing Body with Authority to Remove Barrier	Approximate Date to Initiate Action	Target Date for Removal of Barrier	Comments

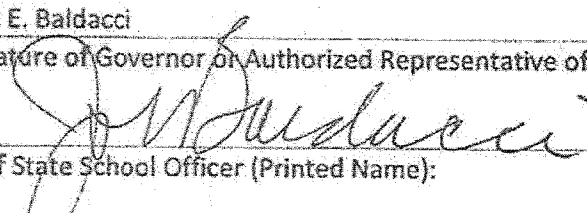
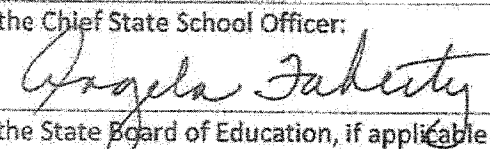

[remainder of page intentionally left blank]

SMARTER Balanced Assessment Consortium MOU

- (h) Bind each State in the Consortium to every statement and assurance made in the application through the following signature blocks

<p>(h)(i)(A) ADVISORY STATE SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.</p> <p><i>(Required from all "Advisory States" in the Consortium.)</i></p> <p>As an <u>Advisory State</u> in the SMARTER Balanced Assessment Consortium, I have read and understand the roles and responsibilities of Advisory States, and agree to be bound by the statements and assurances made in the application.</p>	
<p>State Name: Maine</p>	
<p>Governor or Authorized Representative of the Governor (Printed Name):</p> <p>John E. Baldacci</p>	<p>Telephone:</p> <p>207-287-3531</p>
<p>Signature of Governor or Authorized Representative of the Governor:</p>	<p>Date:</p>
<p>Chief State School Officer (Printed Name):</p> <p>Angela Faherty, Acting Commissioner</p>	<p>Telephone:</p> <p>207-624-6620</p>
<p>Signature of the Chief State School Officer:</p>	<p>Date:</p>
<p>President of the State Board of Education, if applicable (Printed Name):</p> <p>Ann I. Weisleder, Chair</p>	<p>Telephone:</p> <p>207-947-2822</p>
<p>Signature of the President of the State Board of Education, if applicable:</p>	<p>Date:</p>

SMARTER Balanced Assessment Consortium MOU

<p>(h)(1)(B) GOVERNING STATE SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances</p> <p><i>(Required from all "Governing States" in the Consortium.)</i></p> <p>As a <u>Governing State</u> in the SMARTER Balanced Assessment Consortium, I have read and understand the roles and responsibilities of Governing States, and agree to be bound by the statements and assurances made in the application.</p> <p>I further certify that as a Governing State I am fully committed to the application and will support its implementation.</p>	
<p>State Name: Maine</p>	
<p>Governor or Authorized Representative of the Governor (Printed Name):</p> <p>John E. Baldacci</p>	<p>Telephone:</p> <p>207-287-3531</p>
<p>Signature of Governor or Authorized Representative of the Governor:</p> 	<p>Date:</p> <p>6/3/10</p>
<p>Chief State School Officer (Printed Name):</p> <p>Angela Faherty, Acting Commissioner</p>	<p>Telephone:</p> <p>207-624-6620</p>
<p>Signature of the Chief State School Officer:</p> 	<p>Date:</p> <p>5-26-2010</p>
<p>President of the State Board of Education, if applicable (Printed Name):</p> <p>Ann I. Weisleder, Chair</p>	<p>Telephone:</p> <p>207-947-2822</p>
<p>Signature of the President of the State Board of Education, if applicable:</p> 	<p>Date:</p> <p>6-9-2010</p>

<p>(h)(ii) STATE PROCUREMENT OFFICER SIGNATURE BLOCK for Race to the Top Fund Assessment Program Comprehensive Assessment Systems Grant Application Assurances.</p> <p><i>(Required from <u>all States</u> in the Consortium.)</i></p> <p>I certify that I have reviewed the applicable procurement rules for my State and have determined that it may participate in and make procurements through the SMARTER Balanced Assessment Consortium.</p>	
<p>State Name: Maine</p>	
<p>State's chief procurement official (or designee), (Printed Name):</p> <p>Betty M. Lamoreau</p>	<p>Telephone:</p> <p>207-624-7340</p>
<p>Signature of State's chief procurement official (or designee),:</p> <p><i>Betty M. Lamoreau</i></p>	<p>Date:</p> <p>6/4/10</p>

STATE

 STATUS ☒ Governing ☐ Advisory

LEVEL OF PARTICIPATION

The SMARTER Balanced Assessment Consortium (SBAC) is one of two multistate consortia awarded funding from the U.S. Department of Education to develop an **assessment system based on the new Common Core State Standards (CCSS)**. To achieve the goal that all students leave high school ready for college and career, SBAC is committed to ensuring that assessment and instruction embody the CCSS and that all students, regardless of disability, language, or subgroup status, have the opportunity to learn this valued content and show what they know and can do.

With strong support from participating states, institutions of higher education, and industry, SBAC will develop a balanced set of measures and tools, each designed to serve specific purposes. Together, these components will provide student data throughout the academic year that will inform instruction, guide interventions, help target professional development, and ensure an accurate measure of each student's progress toward career and college readiness.

The core components of SBAC are:

Summative assessments:

- Mandatory comprehensive accountability measures that include computer adaptive assessments and performance tasks, administered in the last 12 weeks of the school year in grades 3–8 and high school for English Language Arts (ELA) and mathematics;
- Designed to provide valid, reliable, and fair measures of students' progress toward and attainment of the knowledge and skills required to be college and career ready;
- Capitalize on the strengths of computer adaptive testing, i.e., efficient and precise measurement across the full range of achievement and quick turnaround of results;
- Produce composite content area scores, based on the computer-adaptive items and performance tasks.

Interim assessments:

- Optional comprehensive and content-cluster measures that include computer adaptive assessments and performance tasks, administered at locally determined intervals;
- Designed as item sets that can provide actionable information about student progress;
- Serve as the source for interpretive guides that use publicly released items and tasks;
- Grounded in cognitive development theory about how learning progresses across grades and how college- and career-readiness emerge over time;
- Involve a large teacher role in developing and scoring constructed response items and performance tasks;
- Afford teachers and administrators the flexibility to:
 - select item sets that provide deep, focused measurement of specific content clusters embedded in the CCSS;
 - administer these assessments at strategic points in the instructional year;
 - use results to better understand students' strengths and limitations in relation to the standards;
 - support state-level accountability systems using end-of-course assessments.

System Features

- Ensures coverage of the full range of ELA and mathematics standards and breadth of achievement levels by combining a variety of item types (i.e., selected-response, constructed response, and technology-enhanced) and performance tasks, which require application of knowledge and skills.
- Provides comprehensive, research-based support, technical assistance, and professional development so that teachers can use assessment data to improve teaching and learning in line with the standards.
- Provides online, tailored reports that link to instructional and professional development resources.

Formative tools and processes:

- Provides resources for teachers on how to collect and use information about student success in acquisition of the CCSS;
- Will be used by teachers and students to diagnose a student's learning needs, check for misconceptions, and/or to provide evidence of progress toward learning goals.

Attachment 8

Average statewide proficiency based on assessments administered in the 2011-2012 school year in reading/ language arts and mathematics for the “all students” and all subgroups

2012 NECAP Reading Results-Disaggregated (Grades 3-8)	
Group	% Proficient
Whole	71.77%
Race	
Am Indian	58.25%
Asian	75.59%
Black	46.85%
Hispanic	64.57%
Native Hawaiian	78.75%
White	72.73%
Multi-Other	70.41%
LEP	41.06%
IEP	29.37%
SES	60.26%

2012 NECAP Math Results – Disaggregated (Grades 3-8)	
Group	% Proficient
Whole	63.07%
Race	
Am Indian	50.60%
Asian	69.43%
Black	33.28%
Hispanic	50.68%
Native Hawaiian	72.50%
White	64.25%
Multi-Other	60.57%
LEP	31.00%
IEP	25.39%
SES	49.44%

2011 MHSA Reading Results-Disaggregated (Grade 11)	
Group	% Proficient
Whole	46.23%
Race	
Am Indian	34.95%
Asian	51.81%
Black	22.32%
Hispanic	45.03%
Native Hawaiian	*
White	50.78%
Multi-Other	40.32%
LEP	*
IEP	12.14%
SES	33.41%

2011 MHSA Math Results – Disaggregated (Grade 11)	
Group	% Proficient
Whole	50.38%
Race	
Am Indian	32.35%
Asian	62.65%
Black	19.82%
Hispanic	35.10%
Native Hawaiian	*
White	49.72%
Multi-Other	37.10%
LEP	11.90%
IEP	9.57%
SES	30.64%